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HAND-BOOK  
FOR  
FRIENDLY VISITORS  
AMONG THE POOR.

COMPILED AND ARRANGED BY THE  
Charity Organization Society  
OF THE CITY OF NEW YORK.

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CHARITY MUST DO FIVE THINGS:

1. Act only upon knowledge got by thorough investigation.
2. Relieve worthy need promptly, fittingly, and tenderly.
3. Prevent unwise alms to the unworthy.
4. Raise into independence every needy person, where this is possible.
5. Make sure that no children grow up to be paupers.

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NEW YORK  
G. P. PUTNAM'S SONS  
27 & 29 WEST 23D STREET  
1883

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## PREFATORY.

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THIS Hand-Book has been prepared for the guidance of all persons who are engaged in efforts to elevate the character of the poor, to stimulate their forethought and self-reliance, and to aid them in the unusual and unavoidable emergencies that befall them. It is drawn largely from the experience of those, both in Europe and America, who have for years been earnest seekers after the wisest methods of dealing with the poor.

Its suggestions and directions to Friendly Visitors are reproduced from the publications of the Associated Charities of Boston, the Charity Organization Societies of Philadelphia and Newport, and the writings of Miss Octavia Hill, Rev. J. W. Kramer, M.D., Rev. S. Humphreys Gurteen, Mr. Robert Treat Paine, Jr., Prof. Robert Ellis Thompson, Ph. D., and others of authority in this branch of social research.

The Domestic Suggestions (reproduced by permission), are the same which were prepared by Miss Juliet Corson for the Manual of the Philadelphia Society for Organizing Charity and which she sees no reason to alter or enlarge. Should the proper time come, within the experience of this Society, when it will feel justified in supplying to the working classes a guide to cheap and wholesome cookery, it has the promise of the requisite matter from the same excellent source.

Our thanks are due to Dr. Chas. D. Scudder for the Sanitary Suggestions, kindly and carefully prepared by him ex-

pressly for this little volume; and also to Messrs. J. Van Vechten Olcott, Charles De H. Brower, Chas. W. Dayton, Walter D. Edmonds, Wheeler de F. Edwards, for their laborious service in the preparation of the compact digest of many of the laws of the State of New York which pertain to the protection and discipline of the dependent classes, and also largely affect the welfare and condition of all grades of society.

By order of the Committee.

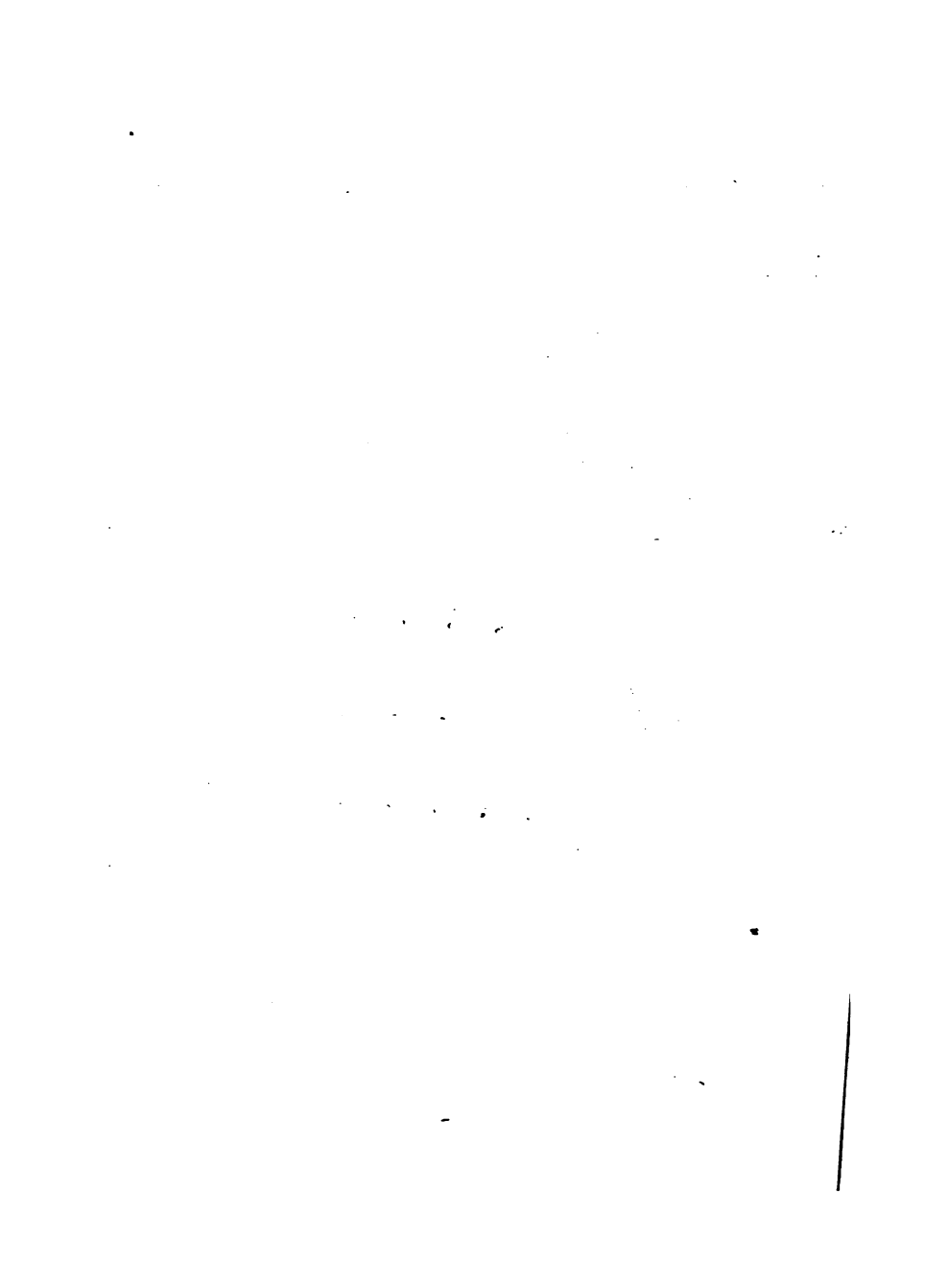
CHAS. D. KELLOGG,

*Organizing Secretary.*

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## GENERAL SUGGESTIONS

TO

### FRIENDLY VISITORS AMONG THE POOR.

1. The best means of doing good to the poor is found in friendly intercourse and personal influence. The want of money is not the worst evil with which the poor have to contend; it is in most cases itself but a symptom of other and more important wants. Gifts or alms are, therefore, not the things most needed,—but sympathy, encouragement, and hopefulness.

2. In a scheme of systematic visitation, experience has shown that the best results are obtained by limiting the number of families to be visited by one person; from three to five being enough to exhaust the time for attention and friendly care that any one visitor has to bestow. Experience is sure to curtail rather than enlarge this number.

3. Never state the object of a visit as being to see whether any *relief* is wanted, for the visits of one who is regarded only as a person from whom something is to be got are rather worse than useless. Let it be seen that your visit is intended to establish friendly relations, and is prompted by a neighborly interest.

4. Be on your guard against encouraging idleness, improvidence, or grosser misconduct, directly or indirectly. Injudicious procurement of alms for the family of a drunkard, or a dissolute, idle, or shiftless person, will invariably do more harm than good.

5. The best method of assisting deserving people when in need, is to help those who are able to work to find employment. In seeking employment for the poor, care should be

taken not to find it in occupations or associations detrimental to health or character, or which would place the applicants in the way of temptation, or compel them to incur obligations that would lower their independence and self respect.

6. Do all you can to encourage the formation of *provident habits*. Urge the very poorest to lay by something, however little, in the Savings Bank, or for future supplies of fuel, flour, etc., etc.; endeavor to induce them to join a Provident Dispensary, or some of the many mutual beneficial societies; explain the nature and advantages of these institutions, and if necessary offer to go with them when they make their first payment.

The poor, as a rule, have never learned "the power of littles." The habit of watching where the pennies go, and of laying up against a rainy day, is generally wanting to them. A word in season may be of use to keep spare money out of the whiskey-seller's till, and to get it put to better use.

7. Whenever you perceive a want of personal and household cleanliness, or a neglect of proper ventilation, take an opportunity of advising and even urging the importance of improvement. These points are so essential to health that it is always advisable to keep urging the matter until a change is made.

8. Keep those whom you visit informed of their rights and duties as *tenants*, and if you observe any serious sanitary defect in their houses or neighborhoods, immediately call the attention of the District Agent to the fact.

9. Where families are being contaminated by vicious surroundings, endeavor to persuade them to remove to another dwelling, or to a better neighborhood.

10. Cultivate the habit of looking below the surface of things, and not judging by first impressions. The poor who have the strongest claim upon our sympathy are generally the silent, sensitive, painfully respectable people, whose clean and tidy rooms conceal to the utmost the evidence of their poverty. They must be sought out with delicacy, and treated with the utmost courtesy.

11. Poverty is very largely associated with disease and a consequent lack of vitality. Our medical profession, through dispensaries and hospitals, have made ample provision for every possible want in that direction. But the sick poor do not always discern their need of medical treatment. They allow disease to become chronic, which might have been cured if taken in time; they suffer their children to become blind, or deaf, or deformed for life, because they think a little sooner or later in the application of remedies will make no difference; and even when they are well aware of their need, they do not always know how to get assistance. Make yourself acquainted with the facts in regard to our medical charities, as given in the Society's Directory, so as to be competent to give advice here. At the same time be on your guard to avoid seeing disease where there is none, and do not send to dispensaries those who are able to pay for medical attendance.

12. Every visitor to the poor should have some knowledge of sanitary laws, since the violation of these is the most prolific source of disease. (A sketch of what is most needed has been prepared by a member of the medical profession, and will be found on another page of this Manual.) For like reasons inform yourself of the nearest parks, squares, and other grounds open to the people, and of the rules which govern their use. In warm weather the health of children, and even adults, is much promoted by passing the morning hours in such places.

13. The poor have legal rights which they often fail to enjoy, through ignorance. They have a right, under our sanitary laws, to have all nuisances abated, and proper precautions taken for their health. Parents and children are bound to reciprocal obligations for support, which are often overlooked. There are provisions for relief, transportation, or asylum at public expense under certain contingencies. A certain amount of property is exempt from execution. They are often imposed upon by pawnbrokers, and by furniture dealers and sewing-



machine agents who sell on instalments, and, more rarely, by landlords and house-agents. An abstract of such of our laws as specially concern the poor has been prepared by a committee of members of the bar, and will be found on another page of this Manual. Where cases arise which do not come within the purview of the Board of Health, call to them the attention of some of the societies for legal relief, or of some member of the bar with whom you are acquainted, or of some one known for his public spirit. The redress of such wrongs is one means of keeping the poor in wholesome sympathy with society, by making them feel that laws and courts are for rich and poor alike.

14. Those who have the greatest need to be economical in their purchases are often much less so than other classes. They buy the most expensive articles of food, the least substantial articles of dress, and even costly, cumbersome, and inconvenient pieces of furniture. They have not learned the best ways of preparing food, of which a sketch is given by Miss Juliet Corson on another page of this Manual. On these and many other points of thrift good advice will be worth more than money. But in most cases the subject must be approached with care, to avoid every appearance of censoriousness or meddlingness.

15. In every case seek to foster a spirit of self-respect and independence. Our poor friends should be encouraged to feel how great is the gulf between honest *poverty* and the *pauperism* which is willing to rely upon gifts and alms.

16. Although there is abundant provision made for public education, a very large proportion of poor children get little, and some of them none at all. They are allowed to run about the streets in idleness, or they are sent to earn a few pennies which are not always indispensable to the support of the family. Try to awaken and cherish right feeling in this subject, that parents may be induced to make sacrifice for their children's sake.

17. Foster the *pride of home*; help to make the dwelling cheerful by the gift of such articles as cannot pauperize, but which, on the contrary, tend to elevate and refine the tastes.

18. Avoid the appearance of dictation; also of inquisitiveness. Never repeat to others what you may learn in the families you visit. Give sympathy, but do not lead them to be discontented; their lot is hard enough, do not make it harder; give courage, energy, and hope. Do not be discouraged or disappointed—the habits of a lifetime are not to be corrected in a day. Be patient as you would be with your own children; appeal to *their better selves* from *your own better self*.

Let your visits at a house be at irregular periods. If you go once a week, never choose the same day in every week.

19. The poorest poor are those who *have no wholesome contact with society or with each other*. They are those who have fallen into a sordid, isolated, and indifferent life, which is more animal than human. Your first aim should be to strengthen their family ties, "to turn the hearts of the fathers to the children," of husband to wife. Seek to awaken and cherish their home affections, to cultivate courtesy of speech and manner, and to prompt the little mutual sacrifices which make life gracious; and encourage every effort to make home a pleasant and attractive place.

20. Churches and Sunday-schools, aside from all their other uses, will help in the same direction, since they put the poor in the way of a more orderly home-life. There are very few of our people who have, or have had, no affiliation with some religious body, and where these ties have been sundered for a time, always seek to have them renewed. But *using your influence to win proselytes* will seriously mar your work, and is in direct contradiction to the principles and rules of this Society.

21. It is wisest to work for the results which come in the long run, to anticipate disappointments, and not to be disheartened by them. The most successful visitor will have discouraging experiences, and, perhaps, for a time, little else.

The greatest patience, the most decided firmness, and an inexhaustible kindness are all needed in this work. Brave workers are patient and persistent, and do not insist on immediate or startling results.

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## DIRECTIONS TO VISITORS.

The first object of visiting is to obtain accurate knowledge of the family which needs help. In this work, as in all work, knowledge is power. Before a physician determines upon a remedy, he makes a careful diagnosis of the disease. Is this a case which really requires help, and if it is, what kind of help will soonest restore the family to independence? The actual facts, the whole truth so far as possible, *must* be learned before these questions can be decided.

The surface-investigation which suffices for the Relief Visitor who is simply concerned with the fact of destitution and the question of temporary alleviation, will not satisfy the requirements of the more radical and permanent treatment which this Society aims to give. Our inquiries relate to *character* and antecedents, as well as circumstances, and must go far deeper, and need far more discrimination and study. They should be so searching and accurate that a wrong decision will be exceedingly rare.

It is well for the visitor to bear in mind the important distinction between poverty resulting from *misfortune*, and that resulting from ignorance or from vice, and to try to perceive as soon as possible to what cause the distress is due. Appearances will often sufficiently indicate this. In the former case the task will be to get the needs revealed, and in the latter to get the vices and failings revealed. In both cases it is necessary to get all the information possible before it is prudent to recommend or begin a course of relief.

Discriminate as follows between different classes of cases.

I. WORTHY CASES NEEDING RELIEF.

1. Aged persons unable to work, and without relations to support them.

2. Protracted illness, severe accident, or special infirmity, where aid may wisely save a family from sinking into pauperism.

3. Widows unable to support families of young children.

II. FAMILIES NOT EQUAL TO THEIR OWN SUPPORT.

Dull work, low pay, sickness of the father or mother, who support the family, or of a child to be supported,—these and like causes make people seek relief. Let visitors find, or offer, or make work. Sewing, washing, choring, errands, work of any kind is so much better than gratuitous relief, to tide over a hard place. Of course, steady work in a well-paid occupation is the thing to advise or find.

III. SHIFTLESS CASES NEEDING COUNSEL, STIMULUS, AND WORK.

1. Where a man or woman, or a boy or girl over 14 years, does not find work, or does not stay at work, or spends in the summer all his or her earnings, relying on relief through the winter; and *needs to be taught industry and thrift.*

2. Where too much is paid for rent, or tobacco, or liquor, or dress, or in any unwise expense; and *economy needs to be taught.*

3. Especially where such cases have begun to rely on aid, (from the city, or societies, or churches, or individuals.) and *need to be taught self-respect.*

IV. CASES NOT NEEDING RELIEF.

Many are getting aid who can earn their own support, but prefer the easier way. Energy is often in proportion to the need. Aid must be cut off from all who have means, or can earn their own living, or are making a bad use of help.

## V. UNDESERVING CASES

Need to be treated with wise and firm severity. Wherever liquor, or thieving, or imposture, or any form of vice has got hold of a family, reform must be the main thing to aim at. The District Committee or Conference will decide how best to act.

## HOW TO BECOME ACQUAINTED WITH A CASE.

1. There are subjects of inquiry in every case which will be suggested to any intelligent visitor. The most important, perhaps, are the following, which range themselves under two general heads :

I. *Condition and Circumstances.*

- (1.) Number in family, their names and ages ?
- (2.) Who are earning any thing ? and what the income ?
- (3.) Any other able to work ?
- (4.) Trades or vocation ?
- (5.) What else can they do ?
- (6.) Why are any out of work ?
- (7.) Amount of rent ?
- (8.) Has any thing been saved in prosperous times ?
- (9.) In debt ?
- (10.) Any thing in pawn ?
- (11.) Habits ? as to intemperance, etc.
- (12.) Health ? taking note if there be any cripple or epileptic in the family, and if any member be deaf, dumb, or blind ?

II. *Relief.*

- (1.) Assistance most needed ?
  - (2.) Assistance that may have been given ? and by whom ?
  - (3.) Nativity ?
  - (4.) Relatives ?
  - (5.) References ?
  - (6.) Church and school attendance ?
- (These and other questions have been prepared upon cards

and blanks for reports, for the more convenient use of the Society's visitors.)

Experience in the examination of families will give a visitor the same readiness in looking for all these items which a physician has in inquiring after the symptoms of disease. The answers to many of them will be apparent in the case, or will appear from the presentation which an applicant makes; so that questions will only need to be put upon those points which are not apparent, and not alluded to. Experience shows the wisdom of making all the above matters subjects of inquiry. They will reveal the *causes of distress*.

#### OUTSIDE INQUIRIES.

It will be found wise to make occasional visits on Sundays and evenings, in order to become acquainted with the men of the family, and to see more of the real home-life of all its members at a time when such visitors are not usually looked for.

There are cases about which you will have much uncertainty and doubt after all you have learned from them, and you will sometimes have to seek further information from friends and neighbors. If you have such a case in a tenement-house where many families reside under a single roof, and one be well and favorably known by you, your first inquiries will be made of this person. But be careful how you seek your information, and to what extent you ask for it. There must be nothing done to arouse suspicion or bad blood between neighbors.

Avoid listening to the detraction of a neighbor, whenever you can. The only potent agency to lift you into a peacemaker some day may be the truthful declaration, "She has said nothing to me against you." But if you are among strangers, and must inquire of one neighbor as to the character or habits of another, you will select as intelligent a face as you can find, and confidentially enter at once upon your subject

and announce your intention. Ask for all you need to know and for no more, and ask as a friend whose sole motive is to be of service to the party about whom you inquire.

If your inquiries cast a stigma upon applicants, it may often be an unjust omission not to apprise them of the nature of the imputation, and to afford an opportunity of answering the charge. But care must be taken not to commit an equal wrong by betraying the informant.

#### RELIGIOUS CONNECTION.

It should be remembered that all religious bodies recognize their obligations to provide for the poor of their own parishes; and often possess the most intimate and intelligent knowledge of an applicant's circumstances.

Therefore, great care should be taken not to interfere with their treatment of any case belonging to them; and to avoid the possibility of this, every one who belongs, or pretends to belong to any Congregation, should invariably be referred to it. Unless a distinct written request is returned from the Congregation that the case shall be taken up by the Charity Organization Society, it should be considered that this Society has done its full duty, and that further action without personal conference with the authorities of the applicant's Congregation, would be improper interference.

All Hebrews should be referred to the Society of the United Hebrew Charities, which Society dispenses all Synagogical Charity: all baptized Roman Catholics are members of the parish within whose limits they reside, and should be sent to their Priest or to the President of the Conference of St. Vincent de Paul in that parish: all Protestants should come strictly under the same rule, and be dealt with only through consultation with the relief authorities of the parish to which they are fairly affiliated.

The cases of those outside *any* Church, and residing within any organized District, should be carefully investigated before

sending to any general relief Society ; for our reference will be considered as an endorsement of the applicant. No such reference should be made except in concurrence with the District Committee, unless in cases of such absolute extremity as suspend all rules. Those not residing in any organized District should be referred to the Central Office for investigation and treatment.

**PRIVATE RELIEF.**

The proper function of the Charity Organization Society is not to give alms, but to investigate the causes of distress, and seek to remove them by friendly direction and sympathy ; yet it will often be necessary, in order to secure adequate and permanent help, to apply to private benevolence to supply the necessary funds ; in such cases the officers and visitors of the Society should, so far as is possible, bring together and establish friendly relations between the beneficiary and the benefactor, themselves acting only as advisers to both.

*In Conclusion.*

Bear in mind that co-operation and consultation are fundamental principles in Organized Charity, and should govern all our intercourse. Compare notes with other visitors, societies, bible-readers, etc., as much as possible. Do not rely on your own or any single judgment. Remember our investigations will be investigated, and our conclusions often subjected to adverse criticism. Have no pride of your own opinion, and let all be done in a spirit of the broadest charity.



## QUOTATIONS.

I believe our irregular alms to the occupant of the miserable room, to the shoeless flower-seller, are tending to keep a whole class on the very brink of pauperism, who might be taught self-control and foresight, if we would let them learn it.

Let us imagine a case where we give to a man whose income is small. What is the effect on his character of these irregular doles? Do they not lead him to trust to them, to spend up to the last penny what he earns, and hope for help when work slackens or altogether fails? Does he try, cost what it may, to provide for sickness, for times when trade is dull and employment scarce?—*Octavia Hill.*

Gratuitous relief fosters thriftlessness, indolence and blamable inefficiency, lessening self-respect and self-reliance. While a kindly impulse may prompt you to give relief, your duty to the family requires you to consider their moral good, and not the gratification of your own emotions. Relief is easy to give. Permanent improvement is slow, and hard to effect.—*Robert Treat Paine, Jr.*

Let the head hold in check the heart; refuse all street charity, all relief to that demoralized multitude who spend their lives in going, with artfully devised tales of woe, from house to house, and from society to society. School yourselves into more rational methods, and let the time come to an end when the accomplished cheat is filled with good things, while the deserving poor are sent empty away.—*Rev. S. Humphreys Gurteen, M.A.*

Make boys, or girls, over fourteen years old, work; and, if possible, in a trade where skill is well paid. Let them come to your house occasionally to report progress. Interest their employer. Teach in season and out of season that, if a man will be industrious, and will become a skilled workman in his

trade, or a woman in hers, or boys and girls in theirs, steadier and better paid employment can be procured.

Insist on work ; help them to find it, but beware *not to let them rely* on your finding it for them.—*Robert Treat Paine, Jr.*

Mendicancy has become a profession, and the study of pauperism a science. Now, the unnatural increase of the dependent classes, fostered by ourselves from a mistaken view of charity, demands, to stem its current, associated, organized effort of the highest ability ; demands also that, stripped of its false garb of almsgiving, raised from its low estimate of money value, charity itself shall be redeemed, restored, both in word and in deed, to its original meaning of love. "And though I bestow all my goods to feed the poor, . . . and have not charity, it profiteth me nothing," says St. Paul. How far have we wandered from that early teaching, when we use the words "charity" and "almsgiving" as synonymous terms!—*Louisa Lee Schuyler.*

"Societies are hard," say the poor. "Charity pauperizes," says the political economist. Yes, there are societies which are hard, and there is a so-called charity which is weakness. But a society which reaches the poor through the warm hearts of hundreds of volunteer visitors cannot become a machine ; and the charity which strives to follow in the footsteps of the Master will learn from him that the truest love will be as firm as it is gentle, and can never become weak.—*Louisa Lee Schuyler.*

I have lived face to face with the poor now for some years ; and I have not learned to think gifts of necessities, such as a man usually provides for his own family, helpful to them.—*Octavia Hill.*

The familiar danger of giving alms, in excess, is that it saps the energy of the recipients, and leads them to rely on alms rather than on themselves. This is the path to pauperism.—*Boston Ass'd Charities.*

Never allow your love for the poor to degenerate into weak

sentiment, or consider a poor man exempt in any way from doing *all* he can to earn for himself and his family an independent living.—*T. F. Ring's Essay on the St. Vincent de Paul Society, read before the Catholic Union.*

Be always respectful in manner to those whom you visit, remembering that you have no more right to enter their rooms without their consent than they have to enter yours.—*Hints to District Visitors, Rev. F. Hessey, D. C. L.*

Instead of reproving and fault-finding, encourage.

Approach these poor women as sisters. Learn lovingly and patiently (aye, and reverently, for there is that in every human being which deserves reverence, and must be revered, if we wish to understand it), learn, I say, to understand their troubles, and by that time they will have learned to understand your remedies; for you *have* remedies.—*Charles Kingsley.*

A visitor will do harm if he makes the poor *discontented*, without showing them a way toward improvement. Their lot is hard enough. Do not make it harder. Close rooms, poor fare, thin clothes, they are often accustomed to. But a wife may be wisely influenced to keep her rooms and children neat, that her husband may enjoy staying at home more; and to get fresh air without wasting heat. The gift of a growing plant or a colored print for their walls, or the loan of a book or game, may help them to make their homes more tasteful and attractive, and raise their standard of life in a simple and wholesome way. To the sick or aged, some little comfort will not be amiss.—*Robert Treat Paine, Jr.*

Do not always expect gratitude from those whom you have benefited; and, where it is not shown, do not conclude invariably that it is not felt.—*Dr. Hessey.*

Never take squalidness as an evidence of want, or neatness as an evidence of plenty.—*Boston Provident Association.*

Keep those whom you visit informed of their rights and duties as to the removal of dust, and other sanitary provisions; and, if you observe any serious sanitary defect in their houses

or neighborhood, call the attention of the Medical Officer of Health or the Inspector of Nuisances to it.—*Dr. Hessey.*

Above all, we need the *education of ourselves as visitors.* Now, in what does this education consist? First, we are educated for this work by our *homes and individual characters*, then by our *reading and reflection*, and lastly by *experience*.—*Susan I. Lesley.*

You want to know the poor, to enter into their lives, their thoughts, to let them enter into some of your brightness, to make their lives a little fuller, a little gladder; you might gladden their homes by bringing them flowers, or, better still, by teaching them to grow plants; you might meet them face to face as friends; you might teach them; you might collect their savings; you might sing for and with them, might teach and refine and make them cleaner by merely going among them.—*Octavia Hill.*

From all the beauty which crowns our lives with loving-kindness has no voice come to us, bidding us gird ourselves anew for our life-work, and enjoining on us both the duty and the privilege of converting the benefits we have received to the good of the poor, the weary, the overworked, the sad, the inefficient, and the vicious?—*Susan I. Lesley.*

But it is a mistake to believe that any letting of ourselves down will ever lift them up. The "hail-fellow-well-met" air, which we sometimes see in those who would avoid condescension, often leads to rash relations with those we would benefit, and consequent disappointment. Let our poor friends rather see in our manner that we stand always ready, always on the alert, to be their friends.—*Susan I. Lesley.*

I have sometimes been asked by rich acquaintances whether I do not remember the words, "Never turn your face from any poor man." I may deserve reproach, I may have forgotten many a poor man, but I cannot help thinking that to give *one's self* rather than *one's money* to the poor is not exactly turning one's face from him.—*Octavia Hill.*

But let us not be too impatient for *results*; it is not wise. Hope and faith are what we want, not *sight*.—*Susan I. Lesley.*

Since varieties of needs require varieties of treatment, it is not well for any visitor to lay aside as hopeless any family or individual, even when she has conscientiously done all she can. Said a good mother of a family to me once, in a period of much perplexity about a portion of her brood: "I never think we parents have done our whole duty by our children if we have only given them *ourselves*. I thank God that I know of people who influence my children where I fail. What I desire is that they get good influence, and what matters it whether it comes through me or through some wiser person to whom I refer them?" Would that in our relations to our poor friends we could imitate her wisdom!—*Susan I. Lesley.*

Will any one who once takes these views of charity be willing to go back to almsgiving without investigation, or to the lazy and vicious way of taking money from their pockets to injure their brothers and sisters, rather than give their time, their patience, and their personal labor to the work of elevating these children of God? Surely, it is not the will of our Father that one of these should perish.—*Susan I. Lesley.*

# HINTS ON DOMESTIC ECONOMY.

ABRIDGED FROM A PAPER BY

MISS JULIET CORSON.

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## WATER.

The quantity of water used as food cannot be estimated by what is drunk, because all fresh foods contain more or less of it, and dried foods are cooked by the addition of it. Of soups and stews, which are exceedingly wholesome, usually three fourths of the volume is water.

Water for drinking should be clear and colorless, without odor, pleasant and refreshing to the taste. It should not stand in the sun nor in a close, warm room.

Hard water coats the surface of meat or vegetables boiled in it with lime, rendering them hard to digest. Medium soft water is the best for general purposes. For cooking vegetables it should be boiling and well salted.

## TEA AND COFFEE.

These are luxuries. Their effect is to retard the elimination of waste matter from the system, hence they reduce the demand of the body for food. They are not to be used by children. Three heaping teaspoonfuls of tea, or *six tablespoonfuls of coffee*, should be used to make each quart of the infusion. The effect of boiling upon tea and coffee is to extract the tannic acid and to dissipate the aroma. Tannic acid hardens the albumen of the milk used with these beverages and makes it more difficult to digest. Some housekeepers recommend boiling coffee for a very few minutes in a close vessel, but both tea and coffee should be drunk soon after their making.

## SELECTION OF FOOD.

The greatest good is derived from certain combinations of food; for instance, bread is more wholesome and palatable with butter or cheese, either of which supplies its deficiency in flesh food. Peas and beans make a very good food when used with a little animal fat. Habit affects the appetite and general health. A person accustomed to one diet may be deranged by a new and equally wholesome one. More fat is needed in cold than in temperate regions, in winter than in summer. A man well clad and housed will suffer less from a scanty food than one thinly clad and exposed to the weather.

## DIGESTIBILITY.

Whatever process hardens food renders it less susceptible to digestion. Whatever softens or disintegrates it prepares it for the easy action of the digestive powers. Meat recently killed, should not be used on account of its stiffened fibres. By keeping it a few days it can be more easily digested, but any indication of putridity should condemn it. The flesh of full-grown animals is more digestible than that of the young, except sucking pig. Veal is hard to digest. Venison, mutton, beef, lamb, veal, and pork are digestible in the order named. Fat meats are less digestible than lean ones.

Among fish the white-blooded, such as cod, haddock, smelts, and bass are the most digestible, while the fat and red-blooded kind, such as eels, mackerel, herring, shad, salmon, sturgeon, muscalonge, are difficult of digestion, though very nutritious. Milk fresh from the cow is quite digestible; but when warm or cooked it is more so than when cold or raw. Fresh, sweet butter is more digestible than when rancid, salt, or cooked. Home-made bread is digestible and nutritious, but fried cakes and rich pastry are far from wholesome. Macaroni, arrow-root, tapioca, and corn-starch are useful in combination with other foods. With the exception of peas, beans, and lentils, vege-

tables are less nutritious than meat or grain, but are valuable on account of their salts and acids, and should be chosen with reference to the ease with which they can be softened in cooking.

Fruits of close, dense fibre, as apples, are made more digestible by roasting or stewing. Preserved fruits are indigestible in proportion to their hardness.

Sweet and starchy substances are insufficient for nourishment.

Fat and oils are valuable in proportion to the cold or the activity one must endure. Meat and the nitrogenous vegetables nourish the body and maintain its vital heat.

Milk is capable of sustaining life for a long time without other food.

The value of different foods is relative; for instance, equal weights of lean beef and of lentils or beans would cost about the same amount, but the meat would need to be eaten with bread or vegetables in order to form a meal, while the beans would require only the addition of salt and water in cooking to make a wholesome food, besides increasing three times in volume by cooking, while the meat would decrease about one fourth in volume.

#### COOKING.

The best method is *broiling* or roasting before an open fire. The heat should be intense for roasting to quickly sear the surface of the meat, so as to retain all its valuable juices; but the meat should be turned often enough to prevent burning. No seasoning should be applied until the meat is cooked.

*Frying*.—Frying renders meat difficult of digestion by hardening its surface and overcharging it with fat.

*Boiling*.—In boiling or stewing, meat should be plunged into boiling water, boil for five minutes, and then the vessel which contains it should be removed to the side of the fire to simmer until the meat is tender. Fast boiling makes meat



tough without hastening its cooking. For soup or beef tea, where the object is to extract the nourishment, the meat should soak for a short time in cold water, be put over the fire in the same water, and slowly brought to a boil. Salting and smoking *lean* meat makes it indigestible by extracting its juices and hardening its tissues ; but *fat* meat is rendered more digestible by this process, which also conveys to the system the valuable antiseptic properties of salt and smoke.

Game of all kinds is both digestible and nutritious. Poultry is more easily digested than meat, unless it is exceedingly oily.

#### ECONOMY IN FOODS.

*Meat.*—There is great economy in buying fat bacon on account of its excess of carbon, and in combining it in cooking with vegetables which contain an excess of nitrogen, such as peas, cabbage, etc. We persistently recommend peas, beans, and lentils to those who wish economical as well as wholesome food. Excessively salt brands of pork and bacon should be avoided, as salt extracts from meat its valuable juices and mineral salts. Meats cured partly by smoking are preferable to the pickled sorts, or those kept in brine.

In full-grown meats the waste in boiling is about one pound in four ; in baking, a pound and a quarter ; in roasting before the fire, one pound and a half. The waste is greater if the pot is left uncovered, or the oven-door open.

The closer and firmer the fibre of meat is, the less is the waste in cooking.

Bones are exceedingly useful in the preparation of soups and stews, especially those which contain much marrow. They should be chopped fine and boiled slowly for nine hours.

Haslet and tripe yield as much nitrogen as the solid flesh, while liver yields much more. Combined with potatoes, onions, grain, or leguminous vegetables, such parts of the animal have a nutritive value in excess of meat, while costing far less.

In this country, and especially by the poorer classes, an exaggerated importance is given to flesh over the nutritive worth of vegetable foods.

*Soups.*—The value of soup as food cannot be over-estimated. The most economical of soups, eaten with bread, will satisfy the hunger of the hardest worker.

The pot liquor in which meat has been boiled needs only the addition of some cereals, with seasoning, to form a good nutriment. That prepared from skin and bones can be made equally palatable and nutritious by boiling with it a few vegetables and sweet herbs, and some rice, barley, or oatmeal.

Lean meat should be chopped fine, put in cold water, a pint to a pound, slowly heated, and thoroughly skimmed. Five minutes boiling will then extract from it all its nutriment and flavor. Strain off the liquor, and eat it seasoned with bread, biscuit, or vegetables. Peas or beans, boiled and added to the soup, make it a most excellent food for sustaining health.

It is well to keep a clean saucepan on the back of the stove to receive the clean scraps of meat, bones, poultry, or game, which are found in every kitchen, but vegetables should not be put in it, as they are apt to sour. The proportions of water to meat and bones is one and a half quarts to a pound, but if the soup is to boil six hours the quantity of water should be two quarts. The meat and bones should be well chopped and broken, be put into cold water, and brought to boil slowly and evenly, and the pot should be kept well skimmed. An hour before the soup is done, add one carrot, one pared turnip, one onion stuck with three cloves, and a bouquet of sweet herbs.

Soup should not be kept standing in a metal pot, but poured into a clean earthen jar or bowl.

*Other Foods.*—One pound of red-blooded fish is equal in food value to eight pounds of potatoes, but is inferior to meat. Where cheap and abundant it is an important article of diet.

Milk and eggs are among the best of foods, but their price varies with the season.

Cheese is an exceedingly valuable food. From two to four ounces, with plenty of bread, make a hearty meal, even for a laborer. It is best when about six months old, but loses its value as it becomes sharp or bitter. English dairy and American factory cheese, of good brands, are the best for economic use.

The economy of the potato lies in its cheapness. It is best in summer, autumn, and winter. As it prepares to sprout its nutritive value diminishes. If potatoes are peeled before cooking the waste is very much greater than if peeled after boiling. There is less waste in boiling potatoes in their jackets than in baking them. They also lose by being allowed to stand and shrivel.

#### MARKETING.

*Poor beef* is dark-red, gristly, and tough to the touch, with a scanty layer of soft, oily fat. Buy meat cheap as you can, but be sure it is fresh; slow and long cooking will make beef tender, but tainted meat is only fit to throw away. A good test of tainted meat is to thrust a knife or wooden skewer into the meat close to the bone, and then to smell it to see if the odor is sweet. Beef is the most nutritious of meats, except the leg of pork.

*Poor mutton* has a pale color, and thin white fat, and parts easily from the bone. Yellow fat and very soft flesh is a sign of diseased mutton. Test mutton for any taint as you do beef.

*Lamb* is more suitable for women and children than for men. A carcass should weigh about twenty-five pounds. If the kidney-fat is soft and moist do not buy the meat.

*Veal* is difficult of digestion, and not high in the scale as nutritive food. It taints first in the neck; the loin is just spoiling when the kidney-fat turns soft and clammy. **BOB VEAL**, which is the flesh of calves too early killed, *should never be eaten*. It is soft, flabby, and sticky.

*Pork.*—Stale pork is moist and clammy, and its smell betrays its condition. Measly pork has small kernels in the fat, and is dangerous food. The surest escape from the danger of *trichina* is thorough cooking. Cook your pork until it is crisp and brown by a steady fire, or boil twenty minutes for each pound. Pork is a good winter-food, but difficult of digestion, and should be used sparingly by the very young or the old. As bacon, it has the antiseptic properties of salt and smoke, and becomes a valuable adjunct to vegetable food, and is a good relish.

*Poultry and Game.*—These are less nutritious, but more easily digestible than meat, and hence are best for persons of weak digestion, sedentary habits, or brain-work. Fresh poultry may be known by its bright eyes, pliable feet, and soft, moist skin.

*Fish.*—Fish is a better flesh-forming food than poultry, lamb, or veal, but furnishes less heat. Sea-fish is more nourishing than fresh-water varieties. The red-blooded species are better food than the white-blooded; the salmon, sturgeon, eels, and herring, than the cod, haddock, and flounders. Fresh fish have firm flesh, rigid fins, bright, clear eyes, and ruddy gills.

*Oysters*, clams, scollops, and mussels should be eaten very fresh.

*Lobsters and crabs* should be bright in color, alive, and heavy for their size. Put them alive, head first, into boiling water, with a handful of salt, and cook for about twenty minutes.

*Vegetables.*—Fresh vegetables are necessary to health. They are cheap and nourishing, especially onions and cabbage. Peas, beans, and lentils are cheap, and furnish so much nourishment that one hardly needs meat with them. If they are cooked in water which has been used for boiling meat, they make a very healthy kind of meal. All juicy vegetables should be crisp and fresh; if a little wilted they can be restored by sprinkling with water and laying them in a cool, dark place.

Roots and tubers should be pared and laid in cold water an hour or more before cooking. Green vegetables are best just before they flower ; roots and tubers are good until they begin to sprout.

It is a great saving to buy by the quantity such vegetables as will keep.

*Fruit.*—Fresh fruit is especially important for children, as it keeps the blood pure and the bowels regular. Next to grains and seeds, it contains the greatest amount of nutriment to a given quantity. Apples are a wholesome fruit, and are usually plentiful and cheap. They nourish, cool, and strengthen the body. All fruit should be bought ripe and sound. Imperfect or decayed fruits are neither economical nor healthful.

Nuts are full of nutritious oil, but are hard to digest, and are not necessities of life.

# SANITARY SUGGESTIONS.

By DR. CHARLES D. SCUDDER.

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|-------------------------------|-------------------------|
| I. Ventilation and Light.     | VI. Sleep.              |
| II. Cleanliness.              | VII. Care of Infants.   |
| III. Clothing.                | VIII. Care of Children. |
| IV. Household Furniture, etc. | IX. Hints to Adults.    |
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## I. VENTILATION AND LIGHT.

If the windows and doors of a room are closed, after a few hours, the air will become impure from stagnation. The process of disintegration at work in the furniture, walls, ceiling, etc., will fill the atmosphere with dust and vitiate it still more. Further, if human beings are living in the room, the air becomes corrupt from the addition of particles exhaled from the lungs, and body; and even when the temperature is high, a delusive chilliness is felt, owing to disturbances produced in the system by the unwholesome character of the atmosphere. The effects of breathing this poisoned air are very soon shown in a feeling of lassitude; and if such an air is continually breathed, sickness will be the inevitable result—especially among children. Consumption, notably, is most frequent among those living in a poisoned atmosphere, and contagious diseases spread with greatest rapidity where the air is foul. It is therefore absolutely necessary to secure good ventilation among the houses in which the poor reside, where all the conditions described above for the origination and perpetration of existing diseases are present.

In summer, free ventilation can be procured by opening windows and doors. A continuous supply of fresh air in winter

can be obtained by raising the lower sash of the window and placing under it a close-fitting board as long as the sash is wide, and of three inches in width, which shall support the sash on its upper margin. It is better to have several sash-boards of different widths, to regulate the amount of air admitted. By using this contrivance, the air is introduced where the upper and lower sashes slip past each other, in such a manner that the current rises upward and falls evenly to the bottom of the room, without forming draughts. Canvas, or unbleached muslin, especially that called cheese-cloth, tacked to a frame constructed like the sash-board and used in a similar way, accomplishes the same result, admitting also a little air through the meshes of the cloth. Movable panels in the doors are serviceable, if they can be made without objection on the part of house-owners. Lowering the upper sash, or introducing between the upper sash and window-frame a funnel-shaped apparatus, closed at the sides with muslin, opening outward, will be often sufficient to carry off the heated, unhealthy, upper strata of air. Fires in open fire-places, and open stove-pipe holes, answer the same purpose, so far as the portions of air in the lower part of the room are concerned. A ventilator placed in an independent flue in the room, or a brick removed from the flue, will also remove bad air. Chimney-boards are not advisable, as they prevent free circulation of air.

Ventilation in sleeping-rooms should be very thorough. During the day, they must be aired by keeping the windows open. At night, fresh air must be supplied by some of the devices mentioned above. Night air is not injurious in this climate if those asleep are warmly covered. The living-rooms should be aired at least once daily. No rooms should be kept closed up, as they are rendered unhealthy by the stagnation of air.

Red-hot stoves are especially dangerous, because unwholesome gases are generated by this condition. The dampers in stove-pipes must be always kept open when the stove is not in

use. After cooking, the room serving as a kitchen should be thoroughly aired. The disagreeable odors produced by boiling turnips, onions and cabbages, may be carried off by using a funnel-shaped potlid, the pipe extremity of which shall enter a hole made in the stove-pipe, which hole can be closed by a tin slide when the pot-lid is not in use. Clothes, diapers, etc., should be dried in the yard, on the roof, or—if there is no other way—on a high horse, or a clothes-line placed near the ceiling.

Light is essential to life. As far as possible habitable rooms should be sunny and airy. Darkness is unhealthy and depressing. All available sunlight should be introduced into every room.

## II. CLEANLINESS.

The body should be rapidly sponged off every morning and rubbed until the skin is in a gentle glow. Once a week, before retiring, soap and hot water must be used, and a thorough scrubbing in a wash-tub should take place. By this means, many distressing skin diseases can be avoided, and the condition of the system improved. The floors should be painted; and the walls whitewashed twice a year. The floor should be swept and then washed clean, weekly, with water to which a little carbolic acid has been added; and carpet rugs only should be used, which must be aired and cleansed when necessary. A damp cloth only will remove dust properly from mantels and furniture. Bedsteads must be carefully inspected. If they are infested with bed-bugs, drop kerosene with a feather into the crevices of the wood-work, and then wash with a weak solution of carbolic acid. One ounce of corrosive sublimate dissolved in half a pint of spirits of turpentine and half a pint of alcohol, and applied with a feather, will prove very efficient to exterminate vermin, but it must be labelled "poison" and kept away from children. The living-rooms should be situated on the sunny side of the house, if possible, and the higher they are, the better, if the inmates are strong and healthy. The temperature of the living-rooms should



be about 68°F. to 72°F. in winter. An evaporating dish of water, into which two or three drops of carbolic acid are dropped daily, should be kept on the stove, to supply moisture to the air. Slops must be removed every morning from the sleeping-rooms. Bedding must be aired daily. The cellars must be kept dry and clean, and no rubbish should be allowed to collect there. Dry wood, or coal-ashes, should be sifted over the cellar floor once a fortnight, after sweeping clean, and a coat of whitewash should be applied to the walls and ceiling twice a year. The back-yards must be kept clean, and hydrants must be always turned off after use. Slops must be emptied into the water-closets, and never thrown into the yards. Chamber utensils must be emptied every morning, and carefully cleansed. Side-walks and gutters must be cleaned daily, and all refuse matter, ashes, vegetables, rags, etc., should be deposited in a box or barrel, to be removed by ashmen.

Drainage must be thorough. Water-closets should be freely ventilated, kept clean, and frequently disinfected. Drains and sewers should not be blocked up with filth and rubbish. The cause of every bad smell must be discovered and removed. If, after properly cleansing, the use of disinfectants does not remove foul odors, complaint should be promptly made to the landlords; and if no attention is paid to it, the Board of Health must be notified, that the nuisance may be removed. Standing wash-bowls often allow the escape of sewer-gas, which may be in part prevented by putting in stoppers. Privies should not exist. If, however, it is impossible to avoid them, as in the upper parts of the city, coal ashes or dried earth should be thrown in after use. They should be cleansed as often as the odor from them becomes strong, or whenever the deposit approaches the surface. If neither of these phenomena is manifested, they should be cleansed every two or three months.

Chloride of lime and carbolic acid are the cheapest and most efficient disinfectants. The former can be placed in

saucers here and there, when the air has been impregnated with foul odors. The latter in solution can be sprinkled about. A solution of carbolic acid (one to one hundred parts of water) should be always kept by the poor, as it is frequently needed. Creosote, carbolate of lime, copperas and lime, slaked lime, etc., are all useful disinfectants, and can be used in the disinfecting of chamber utensils, water-closets, and privies.

### III. CLOTHING.

Adults and children should be warmly dressed in winter. Apart from comfort, it is economical to be warmly dressed, as the quantity of food required to produce warmth is greater when a person is thinly clad. Under-garments, varying in thickness according to the season, should be worn next the skin. They should be made of soft red flannel. This is preferable to the coarse, because, although costing a trifle more, it is more durable and shrinks less. Shrinking in woollens can be almost prevented by washing in hot suds, rinsing in hot water, drying in a hot room, and ironing before they are entirely dry. If in summer, woollens cannot be obtained, unbleached domestic shirtings of fine, soft quality will make admirable under-garments; or Canton flannels will answer the same purpose. This under-clothing must be changed at night, and washed as often as dirty, or at least once a week. Socks and stockings should be thick and warm in winter, particularly in the case of children.

Easy-fitting, calf-skin shoes are the best that can be worn. These should be in good condition, especially in winter, when cracks and holes in shoes allow the feet to become damp. Damp clothes should be changed as soon as possible.

### IV. HOUSEHOLD FURNITURE, ETC.

Bedsteads should be simple and strong. Those made of iron are preferable. They should be low, in order that the sleeper can breathe the best air. Mattresses made of pine shavings,

straw, or husks, are cheap and good. They should be ripped open and refilled twice a year, if possible. The ticking of beds and pillows should be wiped off with a hot solution of carbolic acid at least twice a year. Chamber utensils should always have lids, as otherwise exhalations from them impregnate the mattresses under which they are placed, or the wooden stands in which they are kept. If heat is given by furnaces, the air supplied should come from outside.

#### V. DIET.

Working-men and -women require a liberal supply of easily digested, healthy food. Beef, mutton, mutton chops, liver free from insects, tripe, hearts, fish, eggs, milk, cheese, butter, vegetables, good bread, ripe fruit, etc., will provide them with all that is necessary to choose from. Fresh pork and veal are not as digestible, and therefore objectionable to some; oatmeal, potatoes, and soup made from bones, can be particularly recommended. Cooking should receive careful attention. Badly-cooked food is exceedingly dangerous, giving rise to gastric and intestinal troubles, which are likely to lead to serious consequences especially in summer-time. Frying is not a good method of preparing meats, as they are thereby made too rich. Boiling meats is bad, unless the juices, which are extracted by this process, are saved as soups.

Water may be freely taken. If iced, it should be swallowed in small quantities at a time. If water disagrees with a person, it should be boiled and then cooled, before drinking. But water used for cooking or drinking should not stand, as it absorbs noxious gases, and particles of dust settle in it. A wet towel placed over vessels containing water, will keep their contents in purer condition. Good coffee and tea, taken in moderation, are useful. If these beverages are too strong, disagreeable symptoms of nervous and digestive derangement will be developed. Meals should be served hot, as far as possible. Dried apples in winter-time can be used to make sweets and

pies. But pastry, cakes, and preserves, unless well made, are to be generally condemned.

#### VI. SLEEP.

Sleep should be obtained in the early hours of the night. Seven to eight hours is the average amount required to refresh and reinvigorate. Children need more.

#### VII. CARE OF INFANTS.

If there is no contra-indication, infants should be nursed about six hours after birth, giving a teaspoonful of warm, sweetened water at intervals before that time. Mother's milk is better than any other, and should be supplied if possible. The danger of giving solid substances will be obvious, if it is remembered that the structure of the infant's digestive organs is such as to enable them to absorb and dispose of fluid food only. When nursing, mothers should not be over-heated or fatigued. The infant may at first require nursing every hour during the day, but after two weeks should be nursed regularly about every two hours during the day, and nearly every three or four at night, and not oftener. If asleep, however, it should not be awakened in order to nurse. It is often more convenient and not objectionable for the infant to sleep in the same bed with its mother. After it is two months old, the time between nursings should be increased to six hours during the night, and three or four in the day. During lactation, the mother's diet should consist of simple nutritious food, as juicy meats, broma, chocolate, oatmeal gruel, cow's milk, very little or no fruit, weak black tea, avoiding, however, coffee, green tea, cabbage, beans, etc. A little porter or ale is often salutary. The food should be neither too cold nor too hot.

If it is impossible to nurse the child, the nursing bottle must be used. This should contain about eight ounces, and should have a black rubber nipple. Two bottles are better, in order that one can be kept in a weak solution of lime water, while

the other is in use. After the child has finished, the bottle must be emptied, and rinsed out with hot suds and water to which a small quantity of soda has been added. The nipple must be also cleansed with the same solutions, and subsequently washed in pure clean water, together with the bottle, before using again. All apparatuses complex in construction are dangerous, as opportunity is given for the milk, which remains in tubes, etc., connected with the bottle, to sour. If the mother can supply any milk, she should do so, as it agrees better with a child than any other food.

Cow's milk is next in value, if mothers cannot nurse, or if they cannot supply sufficient milk. It must be fresh and of good quality. In summer, it is better to scald it, and then keep it cool, ready for use. Just as it is necessary to keep the bottle extremely clean, so all vessels employed to hold the milk must be frequently cleansed. In the case of an infant under two months of age, the milk should be diluted with an equal quantity of water which has been previously boiled. If, however, the milk is rich, two, three, or even four parts of water should be added to one of milk. The mother must judge and decide what dilution is best, for no rule can be laid down to cover every case. Sweeten the diluted milk with a little sugar (light brown, if the infant is costive), and give it after warming a little. If there is digestive derangement, add a teaspoonful of lime water, or a pinch of salt, to every eight ounces of milk. After two months, decrease the amount of water added, until at six months there shall be but one fourth part water. Here again, the parent must decide upon the degree of dilution. If the infant thrives well, and its digestion is good, the degree of dilutions is proper. If the infant is not well-nourished, dilution should be lessened or increased as found necessary.

If the infant does not thrive on cow's milk, use Borden's condensed milk. A teaspoonful to sixteen teaspoonfuls of warm water is the proper dilution for infants under two

months. This proportion should be increased, until at one year, about one part to eight of water is used. As condensed milk is already sweetened, it is not necessary to add sugar. Infants are frequently over-fed. The condition will generally indicate whether this is so or not. The quantity given at a time should be from six tablespoonfuls to a gill, when under six months of age. When six months old, a gill to a pint. The amount required varies with the vigor and size of the infant. An occasional teaspoonful of cool water given every two hours is very necessary.

Infants should be bathed daily, taking great care that they are not exposed to draughts at the time. The temperature of the bath should be about 93° F. at first, and gradually lowered until the period of dentition, at which time it should be nearly 86° F. After the bath, the infant's body should be gently rubbed dry with a soft towel. Very delicate infants do not bear daily bathing, having but a poor reaction of the skin. These should be sponged off in tepid water daily, and receive a bath but once a week. As regards sleep, regularity should be established as soon as possible. The bed should be even and soft, and the night-dress should be made of flannel. The face must not be covered, and mothers should have a wholesome fear of soothing syrups, which do incalculable harm. Holding the hands will often induce sleep, when sleeplessness exists. About the fifth week, the infant should be taken out into the air. It must be warmly wrapped, as at all times, but not too warmly, as it is thereby more liable to take cold. In winter-time, when taken out for a walk, every infant should wear a woollen sack, close-fitting at the neck and having long sleeves. The feet must be kept warm. If the weather is inclement, it is unadvisable to venture out. When it is only very cold, a few short trips can be taken, warming the infant after each. In summer, the parks should be visited, that fresh air and sunlight may be obtained in abundance. But the parent should be taught to protect the infant's eyes from the direct rays of the sun, which injure the eyesight.

At seven months of age, the teeth usually appear. This is an indication that other food than milk can be given, such as barley-water, oatmeal gruel, Ridge's food, beef juices, etc., diminishing at the same time the supply of mother's milk. Pilot-bread dried in an oven, and subsequently pounded fine and sifted, is a most valuable preparation. A teaspoonful of this added to the entire quantity of milk, may be given in the course of the day ; in a short time, this amount can be increased to a tablespoonful. The infant should be gradually weaned about the tenth month. Then, before the back teeth are strong, mutton and chicken (boiled, until the fibre is extremely tender), a little fish, orange juice, etc., can be added to the farina, barley-water, oatmeal gruel and pilot-bread. Nursing should not be continued beyond a year, but if it has been carried into the second summer, weaning must not take place until the fall of the year. A flannel bandage should be worn around the abdomen during the first year or two of infantile life.

#### VIII. CARE OF CHILDREN.

After weaning, the infant may be said to have entered upon its childhood. Until all the teeth have appeared, milk should be the chief article of diet. If drinking cold milk causes colic, it should be warmed before use—and even boiled—if the child is not costive. Milk should not be swallowed by the glassful, but taken in small quantities at a time. The change in diet should be gradual. Stale bread, crackers, pilot-bread soaked in milk, farina, oatmeal gruel, barley-water, broths, soups, and finely divided underdone beef and mutton, free from fat, can be given. Ripe fruits can be used, especially strawberries and peaches (the skin having been first removed). But let the fruit be thoroughly ripe and fresh. The child should now be accustomed to four or five meals a day, and be forbidden to eat between meals. The food of adults cannot be given to children of tender years. Pastry, sweetmeats, beer, spirits, tea,

and coffee, should never be allowed. As much cool water as is desired can be drunk, but in small quantities at a time.

Children must be kept clean. A daily tepid bath, followed by gentle rubbing, is necessary. They must be taken out every day, except in very bad weather. The excursions in summer-time, and walks in the parks, will afford opportunity for getting air and sunlight. During the middle of the day, in summer, they must be kept in the shade, and not allowed to become overheated. If they are overheated, bathe the foreheads and wrists, giving small quantities of cool water to drink. A child must be warmly clad. Those who are cold most of the time are either sickly or stunted in growth. The custom of putting on short dresses, wearing short sleeves, and keeping the legs bare in winter, is a dangerous practice, as the endurance of children is less than that of adults, and who among the latter would be comfortable in scanty attire on cold days? Damp clothing must be removed at once, and at night every garment must be taken off. The night dress should be made of flannel. The hair should be kept short, and the head washed with soap and water once a week. The shoes should be entire. In winter, it is advisable to wear rubbers, or rubber boots, when snow or slush is in the streets, changing them at once on coming home. A child must have plenty of sleep, and when delicate, should be alone in bed, if possible. It can go to bed at eight o'clock, but, if heated, must first be allowed to cool off. On waking in the morning, two or three crackers should be given to eat, to stay the stomach until breakfast. Until children are fully grown, they should not be allowed to carry infants, as diseases of the spine are frequently due to this cause.

#### IX. HINTS TO ADULTS.

Men and women should be advised to remember a few rules which will be of inestimable service to them.

1. Avoid spirits, beers, ales, and, as far as possible, the use of tobacco, all of which cost money, injure the health, and are



not necessary. Liability to sunstroke is increased by the use of liquor in hot weather.

2. Eat wholesome food at regular times. Take ripe fruit freely. Drink cool water as desired, but take iced water in small quantities at a time.

3. Dress warmly.

4. Sleep sufficiently.

5. Exercise regularly, if employment is of such a nature as to prevent much use of muscles.

6. Obtain all the fresh air possible.

Young women should not lace tightly, and should not wear high-heeled shoes. Both distort the figure, and often become causes of future ill-health.

#### X. CARE OF THE SICK.

If sickness occurs, the patient should be taken to the nearest dispensary, or a doctor called in at once. It is advisable that the sick should be treated at a hospital, where the best medical attendance and the best nursing can be given to each case. Patent medicines should never be taken. A few simple directions will be given to guide in those cases where the sick must be treated at home, but courses of treatment will not be laid down. In the hands of ignorant people, they are only misunderstood or not comprehended.

The sooner treatment is begun, the better. A physician must have charge of every case. Diseases progress rapidly, especially with children. The sick must be always kept apart from the well, particularly in contagious diseases. It is advisable to treat patients in the top story, and allow only the nurse to be with them. Sunlight must be obtained, if possible. No other agent can as effectually remove the musty odor of the air and impart such vital energy to the sick.

Curtain-hangings, carpets, and all unnecessary articles of furniture must be removed from the sick-room. Ventilation must be thorough and frequent. It can be accomplished safely

by placing a screen around the patient, or hanging blankets around the bed, while the windows are open. A blanket can be placed over the patient's head when the room receives its daily airing. No smoking of tobacco and no cooking should be permitted in the apartment. Bed-clothing should be sufficient to provide enough warmth. Bottles filled with hot water, heated bricks, bags of hot sand, hot oats, or hot coal ashes, may be necessary to give additional warmth during the airing in winter, or in the early morning, when the sick are apt to be chilled by the low temperature which obtains at that time. The temperature of the room should be about 65° F. in most cases, during the winter, until the patient is convalescent, when it must be raised to 70° F. to prevent liability to cold, which accompanies a relaxed condition of the skin. The patient's clothing should be changed at least twice a week. The garments substituted must be first warmed in order to expel moisture absorbed from the air. The bed should not be placed against the wall, and should be made up daily—the patient lying on a sofa, or a couch made of chairs and pillows, at the time. Heavy cotton counterpanes are impermeable, and therefore bad, because the exhalations of the body are not allowed to escape. The sheets must be changed weekly—sometimes oftener. Soiled body-clothing and bed-linen, on removal, should be soaked in a hot, weak solution of carbolic acid, or chlorinated soda, and be washed, etc., after rinsing in hot water. All discharges should be received in a vessel containing carbolic acid, carbolate of lime, chloride of lime, or some other disinfectant. The lid should be kept on a quarter of an hour, and then the contents emptied into the water-closet, and the chamber utensil and lid washed with a carbolic-acid solution. The room should be kept quiet. Visitors should be limited and, in bad cases, excluded. A small portion of the person exposed at a time can be sponged off with tepid water. This sponging should be so arranged that the whole body can be washed off daily. The hair should be kept smooth and

neat. Combing is very soothing and therefore beneficial. The pillows should be arranged to make the patient thoroughly comfortable. The diet must be simple, composed mostly of milk, beef tea, etc. It is necessary to give food every four hours, or so, if the patient is awake and restless at night. Half a teaspoonful of iced lemon juice, without sugar, given occasionally, is often very grateful, and cracked ice quenches the thirst.

Mothers who have young children should always keep on hand a bottle of syrup of ipecac.

*Infants.*—If an infant is irritable and cries, see whether pins in its clothing are hurting it. If this is not the cause, observe if the diet is improper, and if the hygienic principles above laid down are adhered to. Infants are always more irritable when dentition commences. Lancing the gums is often necessary. If *convulsions* occur, or the infant suffers from *croup*, put it in a hot bath (100°F.), and keep wet cloths on the head, until the doctor comes. If the case of croup is very bad, give a teaspoonful of syrup of ipecac. every quarter of an hour, until vomiting occurs, in addition to the bath.

If *diarrhœa* appears, let the doctor be seen at once. In the meantime, place a band of cotton cloth wrung out of hot water on the abdomen. Cover it with cotton batting and keep in place with the flannel abdominal bandage. If the extremities are cold, use hot bottles, bags of hot sand, of hot coal ashes, etc., to restore warmth to them.

*Children* are particularly liable to suffer from *chicken-pox*, *measles*, *scarlet fever*, *diphtheria*, etc. Quarantine is very necessary, and they should not be sent to school, nor allowed to play with other children until four weeks from the *date of convalescence*. All bed-clothing, and clothes removed from the patient, must be disinfected in the room before they are taken to be washed. The disinfecting solution should consist of "eight ounces of sulphate of zinc, one ounce of carbolic acid, and three gallons of water." (New York Health Board.)

In scarlet fever, especially, the danger of spreading the disease is greatest during the time in which the skin is scaling off. After diphtheria, and scarlet fever, the clothing, bedding, and room, must be thoroughly disinfected. The walls and ceilings must be scraped and rubbed dry, after disinfecting, and then whitewashed anew. The floor must be washed with soap and carbolated water. If death ensues after either of these diseases, the body of the deceased should not be exposed to view, and the funeral should be private.

*Adults.*—All cases of *dysentery* and *typhoid fever* require the prompt removal of discharges after disinfecting.

*Small-pox* must be reported at once to the Board of Health.

*Vaccination.*—This operation, unless the infant is sickly, should be done at four weeks of age. If the infant is delicate, it must be performed as soon as soon as deemed advisable by a physician. Vaccination must be repeated every seven years, and *whenever small-pox is prevalent*. If it is objected to, the Health Board must be notified at once. As vaccine virus is now used, all objections, so far as they relate to implanting disease in the system, will be easily outweighed.

#### XI. RULES FOR DISINFECTION AFTER CONTAGIOUS DISEASES.

*Rooms.*—Break lump sulphur in small pieces and burn over sand, or water, in vessels placed at different parts of the room. The apartment should be kept moderately warm during the process, and the windows and doors must be closed for eight hours. Airing should be kept up the same length of time. (Mass. Health Board.)

*Clothing.*—All articles of linen, or muslin, can be boiled for two hours after previous soaking in the solution of sulphate of zinc mentioned above. Clothing which cannot be washed should be subjected to a dry heat of 230° F.

*Mattresses and Furniture.*—The former should be emptied, the ticking should be treated as above mentioned under "clothing," and new straw, or shavings, should be put back in place of the old stuffing material, which must be promptly burned. The furniture, after being fumigated in the room, should be washed with a carbolic-acid solution and carefully dried.

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As will be seen, most of the above regulations and directions are based on general, well-known principles, and these, in their turn, on the facts brought to light by careful observation of the laws of health. The exercise of common-sense and care will markedly diminish the frightful mortality among the poor; and the discomforts from which they suffer can be in part done away with, in part ameliorated, by carrying out the few rules laid down. All those loathsome diseases which arise from filth and impure air, and the epidemics which rage with greatest violence where no attention is paid to hygienic laws, can be prevented or weakened in power by teaching the poor how to take care of themselves.

# LEGAL SUGGESTIONS.

PREPARED AND ARRANGED BY

Messrs. J. VAN VECHTEN OLCOTT ; CHAS. De H. BROWER ;  
CHAS. W. DAYTON ; WALTER D. EDMONDS ;  
WHEELER de F. EDWARDS.

I. Sanitary Provisions.  
II. Magistrates.  
III. Police-Officers.  
IV. Disorderly Persons.  
V. Liquors.  
VI. Vagrants.

VII. Poor Persons.  
VIII. Sunday Laws.  
IX. Children.  
X. Landlord and Tenant.  
XI. Chattel Mortgages.  
XII. Pawnbrokers.

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## I.—SANITARY PROVISIONS.

- § 1. Governor's duty to suppress public nuisances.
- § 2. Adulterated food and drugs.
- § 3. Liquor not to be sold to intoxicated persons ;
- § 4. Nor to habitual drunkards or paupers.
- § 5. Plumbing.
- § 6. Tenement- and lodging-houses.
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- § 9. Unvaccinated children.
- § 10. Unlawful employment of children.
- § 11. Endangering children.
- § 12. Health orders, how enforced.
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- § 14. Penalty for violation of sanitary ordinances.

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§ 16. Duties of officers and private persons as prescribed by the Sanitary Code.

§ 17. Enforcement of health ordinances.

§ 18. Night medical service.

§ 1. *Governor's duty to suppress public nuisances.*—On report of State Board of Health matters or things may be declared to be public nuisances, and the Governor may order them to be abated. The violation of such an order is a misdemeanor. Laws of 1880, ch. 322, sec. 8.

§ 2. *Adulterated food and drugs.*—Any person manufacturing, possessing, or selling adulterated food or drugs in this State is guilty of a misdemeanor, and shall be fined not more than fifty dollars for the first offence, and not exceeding one hundred dollars for each subsequent offence.

(a.) Drugs are deemed adulterated when their strength, quality or purity materially differs from the recognized standards.

(b.) Food is adulterated when reduced in quality or strength by admixture with inferior substances, when such substances have been substituted, valuable constituents abstracted, or the article is an imitation, or contains poisonous or other unhealthy ingredients. Laws of 1881, ch. 407.

§ 3. *Liquor not to be sold to intoxicated persons.*—No one shall sell or give strong or spirituous liquors or wines to an intoxicated person under penalty of from \$10 to \$25. Laws of 1857, ch. 628, sec. 18.

§ 4. *Nor to habitual drunkards or paupers.*—Intoxicating liquors shall not be sold or given to an habitual drunkard, nor to a wife, husband, child, or parent, whose husband, wife, parent, or child respectively has notified the seller forbidding such sale. The offence is punishable by fine of from \$25 to \$50, and deprivation of license; a person selling or giving liquor to a pauper is guilty of a misdemeanor. *Ibid.*, secs. 19, 20.

§ 5. *Plumbing*.—Drainage and plumbing of all buildings to be erected in New York or Brooklyn shall be in accordance with plans approved by the Boards of Health of these cities respectively. Laws of 1881, ch. 450, sec. 3.

§ 6. *Tenement- and lodging-houses*.—Tenement-houses and lodging-houses in New York and Brooklyn must be provided with prescribed adequate means of ventilation, good and sufficient water-closets or privies, receptacles for garbage, ashes and rubbish. The buildings must be examined, cleansed, and whitewashed. Those infected or much out of repair must be vacated. The regulation of these buildings is confined to the Board of Health. No vault, cellar, or underground room shall be used as a place of lodging or sleeping without a permit from such Board. Persons violating this Act will be liable to a penalty of \$10 for each day during which the offence continues. Laws of 1867, ch. 908, as amended by Laws of 1879, ch. 504, and 1880, ch. 399.

§ 7. *Abating nuisances*.—The Board of Health may abate as nuisances not only such as are known at Common Law, but buildings overcrowded or ill ventilated, and whatever renders the air or human food or drink unwholesome. Laws of 1867, ch. 956, sec. 6.

§ 8. *Contagious persons*.—The Board of Health may remove to proper hospitals persons afflicted with contagious diseases. Laws of 1874, ch. 636, sec. 1.

§ 9. *Unvaccinated children*.—The local school officers throughout the State may exclude from the common schools unvaccinated children. Laws of 1860, ch. 438.

§ 10. *Unlawful employment of children*.—Any person employing a child under sixteen years of age as a performer in any exhibition, or in any business injurious to life or limb, is guilty of a misdemeanor. Laws of 1876, ch. 122.

§ 11. *Endangering children*.—Any person who, having care of a child under sixteen, permits its life to be endangered, or its health injured, is guilty of a misdemeanor. *Idem*.



§ 12. *Health orders, how enforced.*—The New York Board of Health may enforce its orders by its own officers, or through the Police Board. Laws of 1874, ch. 636, sec. 7.

§ 13. *Removal of offal, etc.*—The Board of Health has exclusive authority in the removal of dead animals, offal, night soil, blood, bones, tainted or impure meats, and other refuse matter from New York City. It is their duty to cause such removal, and to keep said city clean from all matter or nuisance of a similar kind. Laws of 1874, ch. 636, sec. 10.

§ 14. *Penalty for violation of sanitary ordinances.*—Violations of the Sanitary Code promulgated by the New York Board of Health are treated and punished as misdemeanors, and the offender is also liable to a penalty of \$50, to be recovered in a civil action. Laws of 1873, ch. 335, sec. 82.

§ 15. *Acts forbidden by Sanitary Code.*—The following are prohibited by the New York Sanitary Code, published November 1, 1881 :—

Preparing or administering medicine under deceptive name.

False representation as to any article of food or medicine.

Sale of poisonous substance, except for lawful purpose and by competent person, and unless marked "Poison."

Erection, alteration, or use of buildings defective in regard to light, ventilation, or sewerage.

Using room for smoking meat in tenement- or lodging-houses without permit.

Any thing about a building dangerous or prejudicial to life or health.

Use of apartment as a place of sleeping or residence, which has not at least two feet of its space above the sidewalk, or of which the floor is damp, or which is impregnated by offensive exhalations.

Causing or permitting any person to sleep or remain in a cellar or room unventilated or undrained, or where there is a water-closet or bad odors.

Overcrowding tenement- boarding- or lodging-houses or manufactories.

Overcrowding theatres or allowing them to be defective as to strength, ingress or egress, cleanliness, or ventilation.

Endangering the life or health of prisoners.

Bringing in the city, storing, or selling unhealthy meat, fish, birds, or fowl, fruit, vegetables, or milk, or meat, or fish that died by disease or accident.

Killing cattle for human food while overheated, feverish, or diseased.

Taking to market any meat or dead animal over the size of a rabbit till it has cooled and ceased dripping blood, or before its entrails, hide, feet, etc., have been removed.

Bringing offensive matters or things to market.

Having or offering deleterious articles of food or drink by keepers of saloons or boarding- or lodging-houses.

Having or selling in any market or public place cased, blown, plaited, raised, stuffed, putrid, impure, or unwholesome meat, fish, birds, or fowl.

Giving or selling to another drink believed to be injurious.

Making or keeping any unhealthy beverages.

Having or selling swill-milk, or cheese made therefrom.

Throwing improper substances into reservoirs, etc., or in any way impairing the purity of drinking-water.

Allowing cattle to run at large, unloading pigs, swine, or cattle in public places, or keeping swine or goats in the built-up part of the city without a permit.

Keeping cattle in an improper mode, or yarded in large numbers.

Conveying cattle bound down in vehicles.

Slaughtering or driving cattle between Second and Tenth avenues, or below 110th Street, or slaughtering them north of said street without a permit, unless in buildings on the river front under prescribed regulations.

Occupancy as a dwelling of a building used as a slaughter-house.

Killing or dressing animals or meat in market.

Conveying offal or butchers' refuse through the streets except between 10 P.M. and 10 A.M., or to or from the city without a permit, or unless in covered boxes, etc.

Allowing liquids to flow over or accumulate on sidewalk.

Permitting horses or vehicles to go on sidewalk.

Obstructing streets or public places.

Neglect of care of animals by pound-keepers.

Allowing offensive liquids, etc., to remain on premises.

Gasmakers permitting the deposit in rivers, sewers, or streets, of gas, tar, or refuse, or the escape of gas or offensive odors from their works.

Constructing water-closets, sinks, etc., improperly, or connecting them with sewers without adequate precautions.

Boiling or burning offal, swill, bones, or fat, or making of glue from dead animals, or other occupations detrimental to health, in the city or its waters without special permit.

Boiling varnish or oil, distilling spirits, or making lamp-black, turpentine, or tar, etc., without permit.

Filling up grounds or docks with offensive or decaying substances; opening or turning up, between March 1st and October 1st, without permit, ground filled in with such material.

Using or selling kerosene or similar burning fluid that evolves inflammable vapor under 100 degrees Fahrenheit.

Melting or rendering fat, tallow, or lard, unless fresh from the animal and in good condition, or bringing into the city such substance without permit.

Permitting the contents of any sink, etc., to be put into any street or public place, or into the rivers unless through the proper underground connection.

Allowing swill or any offensive animal nuisance, or any noxious or filthy matter to drop or be put in any street or public place.

Allowing sinks, etc., to become too full or offensive, or their contents to run into any public place.

Depositing offal, ashes, etc., in cesspools, etc.; allowing any

thing in any building, vat, excavation, or place to become a nuisance.

Sifting or agitating lime, ashes, coal, etc., or shaking carpets, etc., or scouring garments, or placing rags or damaged merchandise in streets or public places.

Emptying sinks, privies, etc., without license and permit, or transporting their contents except in an air-tight apparatus.

Letting vehicles containing garbage or other offensive substance remain unnecessarily before any occupied premises, or be in a filthy condition.

Making a pile, deposit, or accumulation of dirt, garbage or any offensive substance within the city or on any dock without permit.

Depositing or burning hay, straw, or bedding on any roof or on or near any street.

Making a pile or deposit of garbage or other offensive substances within 300 feet of any church or inhabited dwelling, nor shall cars containing such remain on any railroad or street in such proximity.

Allowing cinders, rubbish, etc., to accumulate at foundries, coal yards, etc., or dust or offensive odors to escape therefrom.

Bringing into the city diseased animals or such as have been exposed to infection.

Keeping horses, etc., afflicted with glanders or farcy.

Putting into any street, or public place, or water, any dead or dying animal, or keeping the same, or offensive meat, where it may be detrimental to health.

Bringing in any vessel, unloading or storing hides, rags, etc., brought from a foreign country or infected place, or from south of Norfolk, Virginia, without permit, or selling, etc., bedding or other articles that have been exposed to contagion, or recently from an emigrant vessel until disinfected.

Unloading or landing without permit the cargo of a vessel which should have been quarantined.

Removing from a vessel to the shore any person sick of, or

who has been exposed to, a contagious disease, or removing without permit articles which have been so exposed, or bringing such person or article within 300 yards of any dock, or bringing without permit within such distance any vessel or person or article therein which has been in quarantine.

Casting into the public waters any bedding or other substance from any incoming vessel from a foreign port, or port south of Cape Henlopen without a permit.

Removing to or from any building, vessel, or vehicle any person sick of an infectious disease, or exposing such person or dead body so as to promote the spread of disease.

Exposing a child or minor to the taking of an infectious disease.

Interments within the city without consent of the Board of Health.

Establishing a new cemetery or tomb without a permit.

Conveying a corpse without a permit.

Retaining or exposing the dead body of a human being so as to imperil health, or leaving such body unburied longer than four days without a permit.

Using horse-railroad cars with cushioned seats.

Using unclean hay or straw on the floor of such cars.

Conveying on passenger-railroad cars soiled or dirty clothing or bedding, baskets or bundles, except on the front platform.

Allowing any dog or other animal to disturb by noise the quiet or repose of persons in the vicinity.

Ringing large or church bells to the prejudice of health of human beings.

Placing garbage or rubbish in receptacles for ashes, or the reverse.

Keeping live geese or other fowls or cows on any premises within the built-up part of the city without a permit.

Making a deposit or accumulation of bones, decayed fish, or offensive animal substance in any tenement- or dwelling-house.

Public or church funerals of persons who have died of small-pox, diphtheria ; scarlet, yellow, or typhus fever ; or cholera.

§ 16. *Duties of officers and private persons as prescribed by the Sanitary Code.*—Every person having the care of a minor or other individual shall cause such to be effectually vaccinated.

Physicians, keepers of boarding- or lodging-houses, inns, hotels, officers of public and private institutions and of vessels, shall report to the Sanitary Bureau the particulars as to persons who may be sick or have died of contagious diseases.

Masters of vessels bringing cotton to the port between May and November, shall report to the Health Department the fact of any such cotton having been exposed to infection.

The Health Officer of the Port shall report weekly to the Department as to all vessels in quarantine, and persons sick in floating hospitals, and shall receive yellow-fever patients from the city.

Coroners shall report to the Department as to all inquests held by them.

Veterinary surgeons, after examining animals affected with glanders, farcy, or other contagious disease, shall report the particulars thereof to the Board of Health.

§ 17. *Enforcement of health ordinances.*—Inspectors of the Health Department and its officers and agents make the examination required by law ; the Board of Police execute the order of the Board of Health, when so specially ordered, and all persons are forbidden to interfere with or obstruct such examination or execution. Sanitary Code, sec. 2.

Any member of the police force must, without warrant, arrest any person who, in the presence of such officer, shall violate or threaten to violate any of the statutes or ordinances above set forth. Laws of 1866, ch. 74 ; Laws of 1867, ch. 806 ; Laws of 1873, ch. 335. See ante, section 12.

§ 18. *Night medical service.*—A list of physicians who may apply to have their names registered for that purpose, and approved as to qualification by the Registrar of Vital Statistics

of the Board of Health, shall be kept by the captain of each New York police-station in a conspicuous position near his desk. The bulletin may also be posted in hotels and district telegraph offices. On application of a resident of the precinct, with the name and address of the person taken ill, the captain or officer at the desk, in the absence of expressed preference, shall immediately notify the physician nearest the patient. The messenger shall deliver to the physician a certificate on which the latter shall write details of the case.

If the patient will not pay a fee of three dollars, the physician shall receive that sum from the public funds on presenting the certificate endorsed by the captain. The debt is to be collected by the Board of Health from the patient if he have means. It is the duty of such physicians to promptly respond to such calls and render faithful service. They are subject to said calls between 10 P.M. and 7 A.M. from October 1st to March 31st, and from 11 P.M. to 6 A.M. from April 1st to September 30th. Laws of 1880, ch. 538.

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## II.—MAGISTRATES.

§ I. Who are magistrates ?

§ II. Powers of magistrates :

- a. To issue warrants.
- b. To cause arrest without warrants.
- c. Power when offender is brought before him.
- d. Admitting offenders to bail.

§ 1. *Who are magistrates ?*—An officer having power to issue a warrant for arrest of a person charged with a crime is a magistrate. The following persons have this power : Judges of the Supreme Court, of any City Court, the City Judge, the Judge of General Sessions, Justices of the Peace, Police Justices, and Mayors and Recorders of cities. Code of Crim. Proc., secs. 146, 147.

§ 11. (a.) *Powers of magistrates to issue warrants.*—If a magistrate be satisfied, from an information laid before him and upon an examination under oath of informant and any witnesses produced, that a crime has been committed, and that there is reasonable ground to believe that the defendant has committed it, he must issue a warrant of arrest. Code Crim. Proc., §§ 148, 149, 150.

(b.) *To cause arrest without warrant.*—When a crime is committed in presence of a magistrate he may direct the arrest of the offender without a warrant. § 182, *idem.*

(c.) *Power of magistrate when offender is brought before him.*—When the defendant is brought before a magistrate upon an arrest either with or without a warrant, the magistrate must inform him of the charge against him and his right to employ counsel. § 188, *idem.* He must allow defendant a reasonable time to employ counsel, and adjourn examination for that purpose, and must upon request of defendant require peace-officers to take message to such counsel, and the peace-officer must without delay and without fee perform the duty. § 189, *idem.* On the appearance of counsel, or after waiting a reasonable time therefor, the magistrate must proceed to examine the case, unless defendant waives examination and elects to give bail, in which case the magistrate must admit to bail, if the crime is bailable. § 190, *idem.* The examination must be completed at one session unless the magistrate, for good cause shown, adjourn it. § 191, *idem.* If an adjournment be had for any cause, the magistrate must commit the defendant for examination, or discharge him upon his giving bail to appear or depositing money as hereinafter provided. § 192, *idem.* At the examination the magistrate must in the first place read to the defendant the depositions of the witnesses examined on the information, and if the defendant elects must summon the witnesses for cross-examination if they be in the county; he must also issue subpoenas for additional witnesses required by either side. § 194, *idem.* The wit-



nesses must be examined in the presence of the defendant, and may be cross-examined on his behalf. § 195, *idem*. When the examination of the witnesses on behalf of the people is completed, the magistrate must inform the defendant that it is his right to make a statement to answer the charge, or may waive the statement, and that such waiver will not be used against him at the trial. § 196, *idem*. If the defendant choose to make a statement, the magistrate must take it under oath in writing, and the answer of the defendant to all questions must be read to him, and if incorrect the defendant may correct or add to his answer. §§ 198 and 199, *idem*. The statement must be reduced to writing and authenticated by the magistrate, and must be signed by the defendant, or his reason for not signing same must be stated. It must be signed and certified by the magistrate. § 200, *idem*.

After waiver of the defendant to make a statement, or after he has made it, his witnesses, if he produces any, must be sworn and examined, and the witnesses produced on behalf of either party cannot be present at the examination of defendant; and while any witness is being examined, the magistrates may exclude those not yet examined, and may also cause the witnesses to be kept separate, and to be prevented from conversing with each other until they are examined. §§ 201 and 202. And the magistrate must on request of the defendant exclude every person except the clerk, the prosecutor and his counsel, the Attorney-General, the District Attorney of the county, the defendant and his counsel, and the officer having the defendant in his custody. § 203. The testimony of each witness must be reduced to writing by or under the direction of the magistrate and properly authenticated by him. And each deposition must be signed by the witness, or his reason given for a refusal to sign the same. It must be signed and certified by the magistrate. § 204.

After hearing the proofs and the statement of the defendant, and if it appear either that a crime has not been committed or

that there is no sufficient cause to believe the defendant guilty thereof, the magistrate must order the defendant to be discharged, and make the proper endorsement on the depositions and statement. § 207. But if it appear that a crime has been committed and that there is sufficient cause to believe the defendant guilty, the magistrate must hold the defendant to answer the same. § 208. And if the crime is not bailable, the magistrate must commit the defendant to the keeper of the city prison. § 209. If the defendant desire and so demand of the magistrate he can be held to answer to a Court having authority to inquire by the intervention of a grand jury into offences triable in the county, otherwise he may be held to answer at the Court of Special Sessions. § 211.

(*d.*) *Admitting offenders to bail.*—When the defendant is held to appear for examination, bail for such appearance may be taken either by the committing magistrate or by any judge of the Supreme Court. § 550, *idem*. The defendant cannot be admitted to bail where he is charged with a crime punishable by death, or with the infliction of a probably fatal injury, as that, if death ensue, the crime would be murder. § 552.

If the charge be for any other crime he may be admitted to bail :

1. As a matter of right, in case of misdemeanor.
2. As a matter of discretion, in all other cases. § 553.

Before conviction a defendant may be admitted to bail:

1. For his appearance before the magistrate, on the examination of the charge before being held to answer.
2. To appear at Court, to which the magistrate is required to return the deposition and statement.
3. After indictment, either upon the bench warrant issued for his arrest, or upon order of Court committing him, or enlarging the amount of bail, or upon his being surrendered by his bail, to answer the indictment in the Court in which it is found, or to which it may be sent or removed for trial. § 554, *idem*.

After the conviction of a crime not punishable with death, a defendant who has appealed and only where there is a stay:

1. As a matter of right, where the punishment imposes a fine only.

2. As a matter of discretion, in all other cases. § 555, *idem*.

A magistrate must be in attendance at Police Headquarters from 4 P.M. of each day to 10 A.M. of the following, to take bail in proper cases if offered. Penal Code, § 165, as amended by Laws of 1882, chap. 360.

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### III.—POLICE-OFFICERS.

#### § I. Duties.

#### § II. Powers.

##### § I.—DUTIES.

1. The Superintendent of Police must enforce in the city of New York all State laws, city ordinances, health and sanitary ordinances, and police rules and regulations. Rule 33, of Rules and Regulations of Police Department.

2. Civility and attention must be shown to all persons applying at police-stations on business. Rule 226.

3. Officers on duty must preserve public peace (Rule 681); prevent assaults, breaches of the peace, or crimes about to be committed (Rule 320); arrest all offenders, protect rights of persons and property, remove nuisances in public places, repress disorderly houses and houses of ill-fame, enforce every law relating to the suppression and punishment of crime, or to observance of Sunday, or regarding pawnbrokers, gambling, intemperance, vagrants, and disorderly persons (Rule 681); must fully and civilly answer all questions asked, at the same time avoiding unnecessary conversation, and when requested give their names and numbers (Rule 551); must arrest all street beggars, and children under age of sixteen who are in the streets begging or playing on musical instruments, or dan-

cing for gain (Rule 558) ; must arrest insane or intoxicated persons who may be dangerous (Rule 337) ; must disperse all crowds of boys over fourteen years of age loitering at corners, or on streets, or at entrance of buildings (Rule 395) ; must make every effort to arrest any person charged positively by another with having committed a felony (Rule 682).

4. Officers must not receive fees of any kind. The so doing is cause for removal. (Rule 276, also Laws of 1882, ch. 410, sec. 1491.)

5. Officers not in uniform have the same duty and responsibility as to the suppression of disturbance and arrest of offenders as when in uniform and on duty. (Rule 594.)

## § II.—POWERS.

1. Officers have power to arrest without warrant any person committing in their presence any felony, misdemeanor, or breach of the peace, or act directly prohibited by State law, city ordinance, or ordinance of the Board of Health (Rule 30). Code of Crim. Proc., sec. 177.

2. This power extends to any sheriff, deputy-sheriff; constable, marshal, or private citizen. Code of Crim. Proc., secs. 154, 177, 183.

3. Officers have power to arrest without a warrant any person who has committed, or who said officer has reasonable cause for thinking has committed, a felony. But in such case the officer must inform the person arrested of his authority and of the cause of arrest. Code of Crim. Proc., secs. 177, 179, 180.

4. An officer arresting under a warrant any person charged with committing a felony can do so on any day and at any time of day or night ; but if it be a misdemeanor the arrest cannot be made on Sunday or at night, unless by direction of the magistrate endorsed on the warrant. Code of Crim. Proc., sec. 170.

## IV.—DISORDERLY PERSONS.

## I.—DEFINITION.

1. All persons who actually abandon, or threaten to abandon, their wives and children without adequate support, or who neglect to provide according to their means.

2. Every common prostitute, or night-walker, being in a public place for purposes of solicitation or prostitution.

3. Every person using threatening, abusive, or insulting behavior whereby a breach of the peace may be occasioned. Laws of 1882, ch. 410, secs. 1454, '5, and '8.

## II.—ARREST OF DISORDERLY PERSONS.

A Police justice must issue warrant for the apprehension of such person on complaint on oath made to him. Laws of 1882, ch. 410, sec. 1454.

## III.—COMMITTAL OF THE SAME.

Any person convicted as a disorderly person must be committed to the city prison or penitentiary at hard labor for term not exceeding six months, or until he give security for good behavior. Laws of 1882, ch. 410, secs. 1461 and '2.

## V.—LIQUORS.

- § I. Forbidding sale.
- § II. Habitual drunkards and paupers.
- § III. Selling to minors.
- § IV. Damages.
- § V. No recovery for liquor sold on trust.
- § VI. Arrest of persons violating provisions.

§ I. *Forbidding sale.*—Any parent, guardian, husband, or wife may notify liquor-sellers not to sell liquor to his or her

child, ward, wife, or husband ; and any liquor-dealer, after such notification, selling liquor to person notified against is guilty of a misdemeanor and liable to a fine of \$25. R. S., 7th ed., 1983.

§ II. *Habitual drunkards and paupers.*—Selling liquor to an habitual drunkard, or selling or giving liquor to a pauper, is punishable by a fine of from \$20 or \$50, and in the case of a pauper such sale is also a misdemeanor. R. S., 7th ed., 1983.

§ III. *Selling to minors.*—Any person selling or giving liquor to a minor under eighteen years of age without the consent of parent or guardian shall forfeit \$10 for each offence to parent or guardian, and if minor is under fourteen years of age, party is guilty of a misdemeanor and is liable to a fine of \$25 for each offence. R. S., 7th ed., 1982.

§ IV. *Damages.*—Every husband, wife, child, parent, guardian, employee, or other person who shall be injured in person, property, or means of support by an intoxicated person, shall have a right of action for exemplary damages against the person selling or giving away the liquor causing the intoxication in whole or in part. R. S., 7th ed., 1990.

Such right of action also lies against persons owning or renting, or permitting the occupation of any building or premises, and having knowledge that intoxicating liquors are to be sold therein. Session Laws, 1873.

§ V. *No recovery for liquors sold on trust.*—No inn-, tavern-, or hotel-keeper, who shall trust any person other than lodgers in his house for any sort of strong or spirituous liquors or wines, shall be capable of recovering the same by suit. And any security for such debts shall be void, and the person taking such security to evade this statute shall forfeit double the sum so secured. R. S., 6th ed., vol. ii, p. 937, § 16.

§ VI. *Arrest of persons violating provisions.*—It shall be the duty of every sheriff, under-sheriff, deputy-sheriff, constable, marshal, policeman, or officer of police to arrest all persons actually engaged in the commission of any offence in

violation of the foregoing provisions, and forthwith to take such offender before any magistrate of the same city and town, who shall proceed to try the said offender, or to admit said offender to bail, or to commit him to trial. R. S., 6th ed., vol. ii, p. 938, § 22.

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## VI.—VAGRANTS.

- § I. Who are vagrants?
- § II. Arrest and commitment of.
- § III. Lodging of.
- § IV. Voluntary commitment of.
- § V. Employment of.
- § VI. Discharge of.

### § I. *Who are deemed vagrants?*

1. Habitual drunkards without visible means of support, or who abandon, neglect, or refuse to support their families, and are complained of by such families.

2. Persons who have contracted an infectious or other disease through drunkenness or debauchery, and require charitable aid to restore them to health.

3. Prostitutes without lawful employment.

4. Beggars going from door to door, or standing in the streets to receive alms. Persons wandering about without homes, lodging in out-houses, market-places, sheds, stables, uninhabited buildings, or in the open air, and not giving a good account of themselves.

5. Idle persons without visible means of support, and without employment. Laws of 1882, ch. 410, sec. 1464; 2 R. S.; 6th ed., p. 836.

§ II. *Arrest of vagrants and commitment.*—Officers must, on application of any person, take such vagrant before the recorder or one of the police-justices. Sec. 1464. Such mag-

istrate shall, upon confession of the offender, or on competent evidence that such person is a vagrant within the above description, commit such person, if a notorious offender, to the penitentiary or city prison for not more than six months; but if not a notorious offender, then to the almshouse. Vagrants committed as inebriates may, after recovery, be detained at labor in the workhouse, to reimburse the expense and charge of their care, for not longer than six months. Laws of 1882, ch. 410, secs. 1465, 1499, 413.

Indolent, indigent, and vicious persons who habitually and frequently lodge in a station-house shall, on applying for such lodging, be arrested as vagrants. Police Rules, 622.

§ III. *Lodging of vagrants.*—It is the duty of the Board of Police to provide for lodging of vagrants and indigent persons. Laws of 1882, ch. 410, sec. 258.

§ IV. *Voluntary commitment.*—Vagrants, or any other persons who apply therefor, may be committed by the Board of Charities and Correction to any institution under their charge, other than penal, for a period not exceeding six months. Secs. 412, 398.

§ V. *Employment of vagrants.*—Any person duly committed to the city prison, penitentiary, or workhouse, may be detained in the workhouse for the purpose of employment therein; but vagrants, or paupers, or recipients of the public charity of the Department of Charities and Correction, shall not, unless before convicted of a crime, be employed in company with criminals. Hours of labor not to exceed ten. Laws of 1882, ch. 410, secs. 398 and 400. Separation of criminals from paupers enjoined. Sec. 402.

The Board of Charities and Correction may, in its discretion, open an account with a pauper, crediting him with fair compensation for his labor, and charging him his board and maintenance, and at the expiration of his term pay to him the balance, if any there be. Sec. 401.

§ VI. *Discharge of vagrants.*—Vagrants cannot be dis-



charged by the Commissioners of Charities and Correction before the expiration of the term of their commitment without the written consent of the committing magistrate. Sec. 414.

## VII.—POOR PERSONS.

§ I. Support of poor persons.

§ II. Desertion of wife or child.

§ I. *Support of poor persons.*—The father, mother, and children of sufficient ability of a poor person who is insane, blind, old, lame, impotent, or decrepit, so as to be unable to work to maintain himself, must at their own charge relieve or maintain him in a manner to be approved by the Commissioners of Charities and Correction. If they fail to do so the Commissioners may apply to the Court of Sessions for an order to compel them to do. Such relatives are entitled to fourteen days' notice of such application. The Court may then, upon proof, order that such relatives pay a weekly sum sufficient for the support of such poor person, in the following order, first father, second children, third mother, or if it appear that such relatives are unable to wholly maintain such poor person, then the Court may direct two or more such relatives of different degrees to maintain such poor person, and may designate the proportions in which they shall contribute, or the Court may direct that they contribute in proportion to their ability, which sum shall be paid weekly. Laws of 1882, ch. 410, sec. 421; 2 R. S., 6th ed., p. 808, secs. 1, 2, 3, 4, and 5.

If the sums directed to be paid, as set forth above, are not paid, an action will be in the name of the Mayor, Aldermen, and Commonalty to compel such payment. Laws of 1882, ch. 410, sec. 421.

§ II. *Desertion of wife or child.*—If any person desert wife or child, leaving them a charge upon the city, the Com-

missioners of Charities and Correction, upon a warrant issued by a police-justice, upon due proof of the facts, may seize the property of such person wherever it may be found, and upon order of the Court of Sessions from time to time sell such portion of the property as such order may direct for the support and maintenance of such wife or child (2 R. S., 6th ed., p. 809, secs. 8, 9, and 10), unless the person deserting such wife or child give security, satisfactory to such police-justice, that he will support and maintain such child (2 R. S., 6th ed., p. 809, sec. 11). This provision applies to a mother being a widow, or living separate from her husband, who may desert and abandon her children.

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#### VIII.—SUNDAY LAWS.

The selling of any wares, merchandise, fruits, herbs, goods, or chattels on Sunday, except meats, milk, and fish, which may be sold before 9 A.M. is prohibited.

All goods exposed for sale shall be forfeited to the use of the poor, and may be seized by virtue of a warrant issued by a justice of the peace, mayor, recorder, or alderman on conviction of the offender. R. S. 7th ed., 1975.

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#### IX.—CHILDREN.

§ I. Abandonment.

§ II. Neglect to provide for.

§ III. Kidnapping.

§ IV. Children remaining or allowed to remain in improper places.

§ V. Employment of.

§ VI. Bobtail cars, riding on.

§ VII. When to be treated as vagrants.

- § VIII. Apprentices.
- § IX. Education.
  - 1. Privilege to attend school.
  - 2. Compulsory attendance.
  - 3. Truant children.
- § X. Lost children.
- § XI. Criminal capacity.
- § XII. Cruelty to.
- § XIII. Children of emigrants.
- § XIV. Commitment of children.
  - 1. House of Refuge.
  - 2. Almshouse.
  - 3. American Female Guardian Society.
  - 4. N. Y. Juvenile Asylum.
  - 5. Catholic Protectory.
  - 6. Home for Christian Care.
  - 7. Hebrew Benevolent Society.
  - 8. New York Infant Asylum.
  - 9. Custody of individuals.
  - 10. Protestant Episcopal House of Mercy, Roman Catholic Home of the Good Shepherd, Magdalen Female Benevolent Society and Home for Fallen Women.
  - 11. Poor-house.
  - 12. Discharge of committed children.
- § xv. Bastards.

§ 1. *Abandonment.*—1. Abandonment of children is punishable by imprisonment in the State prison for not more than 7 years, or in the county jail not exceeding 1 year. Penal Code, § 287, R. S., 7th ed., 1948.

2. A person threatening to abandon his wife or children, so that the latter are liable to become a charge upon the county is deemed a disorderly person, and upon complaint to a police-justice, a warrant will be issued for such person's arrest

and he will be compelled to give sureties to support his wife and children. R. S., 7th ed., 1948.

§ II. *Neglect to provide for.*—One who wilfully neglects or omits without lawful excuse to furnish food, clothing, shelter, or medical attendance to a child in his custody, or who wilfully causes or permits its health to be injured, or its morals to become depraved, or its life to be endangered, is guilty of a misdemeanor. Penal Code, §§ 288 and 289, R. S., 7th ed., 2136.

§ III. *Enticing child from parents—Kidnapping.*—One who entices a child under 12 years old from parent or guardian or other person having charge thereof, with intent to detain and conceal it, is liable to 10 years' imprisonment. Forcibly and unlawfully seizing, confining, or kidnapping any person is a crime punishable by imprisonment in State prison for a term not exceeding 10 years. R. S., 7th ed., 2476.

§ IV. *Improper places.*—One who admits or allows to remain in any dance-house, concert-saloon, theatre, or other place of entertainment owned, managed, or kept by him, where wines, spirituous or malt liquors are sold or given away, any child actually or apparently under the age of 14 years, and unaccompanied by its parent or guardian, is guilty of a misdemeanor. Penal Code, § 290, R. S., 7th ed., 2137.

Persons admitting children under 14, unaccompanied by their parent or guardian, are guilty of a misdemeanor, and all such children so found are liable to arrest. And any person allowing children under 16 years of age to play any game of skill or chance in or near where beer or liquor is sold is guilty of a misdemeanor. R. S., 7th ed., 2138.

§ V. *Employment of.*—Children under 14 shall not be employed in any business whatever, during the school hours of the term of public schools within the school district in which they live, under penalty of a fine of \$50, to be paid by employers, unless such children shall have certificate of attendance at school for 14 weeks in the then current school year. And school trustees are to examine establishments where

children are employed, and employers must exhibit to examining officer a correct list of all children between the ages of 8 and 14 employed in the establishment, together with the certificate of attendance at school of such children. R. S., 7th ed., 1207.

Children under 16 years of age must not be employed in singing, playing on musical instruments, rope- or wire-walking, dancing, begging, or peddling in any public street or highway, or in any mendicant wandering business whatsoever. And any person so employing such children shall be guilty of a misdemeanor, and liable to a fine of from \$50 to \$250, and imprisonment for from 30 days to 1 year. And any person so employing or permitting any child, or employing such child as a gymnast, contortionist, rider, or acrobat, in any place whatsoever; or for any obscene, indecent, or immoral purpose, exhibition, or practice whatsoever; or for or in any business, exhibition, or vocation injurious to life or limb of such child, shall be guilty of a misdemeanor. Except that a child may be employed as a musician at any concert or entertainment upon the written consent of the mayor.

A child employed as aforesaid, may be sent by the magistrate investigating the case to an orphan asylum, or other institution, as in the case of a vagrant or destitute child, provided that in the opinion of such magistrate it shall seem desirable for such child's welfare. R. S., 7th ed., 2135, Penal Code, § 292.

Every person having custody of children, allowing or neglecting to restrain children from begging, gathering, picking, or sorting rags, or from collecting cigar stumps, bones, or refuse from markets, shall be guilty of a misdemeanor, and shall be fined from \$25 to \$100. R. S., 7th ed., 2137.

§ VI. *Bobtail cars.*—Stealing rides on bobtail cars, or stages, is punishable by fine of from \$5 to \$10, and, police may arrest children so doing. R. S., 7th ed., 2137.

§ VII. *When to be treated as vagrants.*—Any child appar-

ently under the age of 14 years that comes within any of the following descriptions named:

1. That is found begging or gathering alms, whether actually begging, or under the pretext of selling, etc.; or being in any public place for such purpose.

2. That is found wandering, and not having any home, or settled place of abode, or proper guardianship, or visible means of subsistence.

3. That is found destitute, either being an orphan or having a vicious parent, who is undergoing penal servitude or imprisonment.

4. That frequents the company of reputed thieves, or prostitutes, or houses of assignation or prostitution, or dance-houses, concert-saloons, theatres, or variéties without parent or guardian, shall be arrested and brought before a magistrate, and if it shall appear that the child is guilty and to be for the welfare of the child, such child may be sent to an orphan asylum, etc., as provided in case of vagrant or destitute children. R. S., 7th ed., 2137, Penal Code, § 291.

All children under age of 16 years, who without sufficient cause desert home, or keep company with dissolute or vicious persons against command of their parents or guardians are disorderly children. Laws of 1882, ch. 410, § 1596. And upon complaint, police magistrate must issue a warrant, and upon offender being produced, and after inquiry and conviction, must commit offender to the House of Refuge. R. S., 7th ed., 2658.

§ VIII. *Apprentices.*—No man can bind out his child as an apprentice, or otherwise, without the consent of the child's mother if living. R. S., 7th ed., 2339.

§ IX. *Education.*—1. *Privilege to attend school.*—All children between ages of 5 and 21, residing in city and county of New York, are entitled to attend free of charge any of the public schools. Laws of 1882, ch. 410, § 1051.

2. *Compulsory attendance.*—Every child between 8 and

14 must attend school for 14 weeks in each year; 8 weeks of which must be consecutive; 2 weeks attendance at a half-time or evening school, being counted as 1 week. R. S., 7th ed., 1206.

Board of Education are to make rules for the correction of truants and unruly children, which regulations are required to be posted in each school-house. R. S., 7th ed., 1208.

Policemen finding children of from 8 to 14 years in the street between hours of 9 A.M. and 3 P.M. on school days, shall take their names and address, and names of parents, and warn them that if found in the street again during school hours they will be arrested. Police Rules, 393.

3. *Truant children.*—Children truant without knowledge or consent of parents or guardians, are to be arrested and taken to school, and if they continue to absent themselves they may, with the consent in all cases of parents and guardians, be arrested and committed to Juvenile Asylum. Police Rules, 391.

On sworn complaint of any citizen, a police-magistrate or justice of District Court is required to cause to be brought before him any vagrant or truant child complained against, and examine such child after notification to parent or guardian or master. If complaint is established, the parent, guardian, or master will be required to enter into an engagement in writing to the corporate authorities, to restrain such child and cause the same to attend school for at least 4 months in each year, until arriving at the age of 14 years. If child has no parent, guardian, or master, justice must commit, as is provided by law. (See below "Commitment.") R. S., 7th ed., 1205.

§ x. *Lost children.*—Temporary retreat for lost children is provided at the Central Department of the Police.

§ xi. *Criminal capacity.*—A child under 7 years old is incapable of committing crime, and between 7 and 12 years old is presumed incapable, but the presumption is removable. Penal Code, §§ 18 and 19.

§ XII. *Cruelty to.*—Cruelty to children is a misdemeanor. Penal Code, 289.

The Society for the Prevention of Cruelty to Children may prefer complaint before any court or magistrate for violation of any law affecting children. R. S., 7th ed.

§ XIII. *Children of emigrants.*—Children of emigrants are in charge of Commissioners of Emigration, who have same authority over destitute emigrants as is possessed by the governors of the almshouse over children in their charge. R. S., 7th ed., 2067.

§ XIV. *Commitment of children.*—1. *House of Refuge.*—1. Disorderly children may be committed to House of Refuge by any police-magistrate in New York County upon complaint under oath of parents or guardians. Laws of 1882, ch. 410, § 1597. The managers of the Society for the Reformation of Juvenile Delinquents in the City of New York have power in their discretion to receive into the House of Refuge all children taken up or committed as vagrants, or convicted criminally in said city, as may be proper objects in the judgment of the Court, or Magistrate, or of Commissioners of Charities and Correction, and said managers have power to place such children during minority at suitable employment or instruction, and with child's consent to bind them out as apprentices. Laws of 1882, ch. 410, § 1594. And any child under 16 years of age, criminally convicted, may be committed to House of Refuge instead of to State prison or penitentiary. Penal Code, § 701.

2. *Almshouse.*—Children suffering from want, abandoned, improperly exposed, or neglected by parents or guardians, or begging for alms, may, on complaint and proof, be committed by recorder or any police-justice to the almshouse or other place provided for support of the poor, to be kept, employed, and instructed in useful labor. Likewise, children of prostitutes and keepers of houses of ill-fame. While in almshouse, such children are in custody and control of Commis-



sioners of Charities and Correction. Laws of 1882, ch. 410, sec. 1463. And the said Commissioners may bind out such children committed to their care during their minority, as apprentices. Same sec. and sec. 409.

3. *American Female Guardian Society*.—Girls under 14 and boys under 10 years of age brought by a policeman before any magistrate of New York City upon allegations and proof that such child was found in the circumstances specified in the preceding section, and on proof that the child is a proper object, may by such magistrate be committed to the American Female Guardian Society, instead of to the almshouse. Laws of 1882, ch. 410, sec. 1602.

4. *New York Juvenile Asylum*.—(a.) Any child above 7 and under 14 years of age brought by any policeman before any magistrate of New York City upon allegations and proof that such child was found in the circumstances specified in sec. 2 preceding, and proof on examination of the child that it is a proper object, may be committed to said asylum instead of to the almshouse. Laws of 1882, ch. 410, sec. 1608.

(b.) Any child under 14 years of age having sufficient bodily and mental capacity to attend public schools, but found wandering in the streets or public places of New York City, idle, truant, or without lawful occupation, may, on complaint of any citizen on oath, be caused by any magistrate to be brought before him for examination. If such complaint be established, the magistrate shall require parent, guardian, or master of child to give bond with or without security to keep child on his own premises or at some lawful occupation, and send it to school. If such bond is not given within 20 days, or is habitually violated, the magistrate shall commit the child to said Juvenile Asylum. Laws of 1882, ch. 410, sec. 1612.

(c.) Disorderly children may be likewise committed to said asylum upon complaint, on oath of parent, guardian, etc. Laws of 1882, ch. 410, sec. 1613.

5. *Catholic Protectory*.—Children above 7 and under 14

years of age, being under the same circumstances prescribed in the second paragraph of the preceding section, may be committed to the Catholic Protectory. Laws of 1882, ch. 410, sec. 1618.

6. *Home for Christian Care.*—The several magistrates of the city of New York, and the Commissioners of Charities and Correction, are authorized to commit to such home such persons as may come under their jurisdiction who may be eligible by the constitution and by-laws of said corporation. Laws of 1882, ch. 410, sec. 1617.

7. *Hebrew Benevolent Society.*—Trustees of this society shall have sole and exclusive custody and control of such orphans, half-orphans, or indigent children under 13 years as they may agree to maintain, etc. The relatives or guardians of such orphans, or surviving parent of half-orphan, must consent in writing to such maintenance, or such half-orphan or indigent child may be committed on consent of said trustees to the custody of said society by any tribunal which may acquire jurisdiction under any law of this State. Laws of 1882, ch. 410, sec. 1625.

8. *New York Infant Asylum.*—Any child under 2 years of age abandoned within the city of New York, may be taken by any policeman or other person to the house of reception provided by said asylum, and placed in the custody thereof. Laws of 1882, ch. 410, sec. 1627.

9. *Commitment of convict children to custody of individuals.*—A child under 12, convicted of a misdemeanor, may, in Court's discretion, instead of being sentenced to fine and imprisonment, be placed in charge of any suitable person willing to receive him, and until majority, or a shorter term, be subjected to such discipline of the person receiving him, as a parent or guardian may exercise over a minor. Penal Code, sec. 713.

10. *Commitment of female children to Protestant Episcopal House of Mercy, Roman Catholic Home of the Good Shepherd, or Magdalen Female Benevolent Asylum and Home for Fallen*

*Women.*—Any female child, 14 to 21 years of age, brought by police or voluntarily appearing before a magistrate, charged with or admitting herself to be a prostitute, and professing a desire to reform, and proved not to have been an inmate of the penitentiary, may be committed to either of the above institutions, instead of to the workhouse or penitentiary. R. S.

11. *Poorhouse.*—Vagrant, truant, or disorderly children over 3 or under 16 years of age shall *not* be committed to any poorhouse, unless idiots, or so diseased, defective, or deformed as to render them unfit for family care; otherwise, shall be committed to some orphan asylum or other charitable or reformatory institution. R. S.

12. *Discharge of committed children from American Female Guardian Society, New York Juvenile Asylum, and Catholic Protectory.*—If at any time after a child shall have been committed to any one of the above-named corporations or institutions, it shall be made to appear to the satisfaction of the said corporation or the board of directors thereof, that such child was, on insufficient cause, false or deficient testimony, or otherwise wrongfully so committed, and also if, after such child shall have been properly committed to said institution, any circumstances should occur that, in the judgment of said corporation, would render expedient and proper the discharge of said child from said asylum, having a due regard to the welfare of the child, the said corporation or institution, on the application of parents, guardian, or protector of such child, may, at discretion, discharge the child from said institution and restore it to its parents, guardian, or protector on such reasonable conditions as the said corporation may deem right and proper. Laws of 1882, ch. 410, secs. 1606, 1615 and 1623.

*New York Infant Asylum.*—If at any time within 3 years after any child shall have been entrusted to the custody of said corporation, it shall appear to the satisfaction of the board of managers, or any justice of the Supreme Court, that such

child was wrongfully so entrusted, the said board shall thereupon, on application of the parents or guardians of said child, discharge said child and restore it to the parents or guardians. And in case at any time after such child shall have been so entrusted, it shall appear to the board of managers expedient or proper to discharge such said child, said board may discharge said child on such terms as it may deem expedient and proper. Laws of 1882, ch. 410, sec. 1631.

§ xv. *Bastards. Their support.*—The reputed father and mother of every bastard are liable for its support. R. S., 6th ed., vol. ii, p. 898, sec. 2.

The Commissioners of Charities and Correction may cause inquiry to be made as to any bastard child, and for that purpose may cause the mother of said child to be brought before a justice of the peace or police-justice for examination; and, upon the father of said child being ascertained, he may be compelled to give bonds for the support of said child, and in default thereof shall be committed to prison. R. S., 6th ed., vol. ii, p. 899, secs. 6, 7, 8, 9.

And the mother of a bastard child may in like manner be compelled to support her child in like manner, if she be possessed of any property, or may be committed to prison unless she execute a proper bond. R. S., 6th ed., vol. ii, pp. 901 and 902, secs. 21–22.

The warrant for the committal of the father of a bastard, or for the committal of the mother when she refuses to disclose the father's name, must direct his or her committal to the city prison. Laws of 1882, ch. 410, sec. 1498.

The Commissioners of Charities and Correction must prosecute any bastardy bond ordered by the court to be prosecuted. Laws of 1882, ch. 410, sec. 422.

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## X.—LANDLORD AND TENANT.

- § I. Leases.
- § II. Rights and duties of landlord.
- § III. Rights and duties of tenants.
- § IV. Eviction.
- § V. Dispossess or summary proceedings.

(All provisions under this head will be found in McAdams' "Landlord and Tenant.")

§ I. *Leases*.—For a term exceeding one year, void, unless in writing subscribed by the lessee. All other leases in parol are valid. R. S., 7th ed., 23-26. Leases and agreements in the city of New York, not specifying the duration of the term, are valid till May 1st next after possession is taken, and rent shall be due on usual quarter days (Feb., May, August, and Sept.). R. S., 7th ed., 2,200.

§ II. *Rights and duties of landlords*.—1. *Repairs*.—A landlord is not bound to make repairs unless expressly so agreed. Any portion of premises of which landlord retains control must be kept in good order and repair by him; damages resulting from a failure to repair he is liable for.

2. *Injuries to premises*.—Landlord has a right of action for damages for injuries to the premises, whether caused by the tenant or third parties.

3. *Right of entrance*.—Landlord has the right to enter premises for purpose of demanding rent and making such repairs as are necessary to prevent permanent injury.

4. *Nuisances*.—A nuisance upon the premises at the time of the letting, the landlord is liable for; if created by a tenant, the tenant is liable.

5. As between landlord and tenant, in other respects the tenant is regarded as the owner during the tenancy; but as to third parties, especially as to municipal, fire, health, and building ordinances, the landlord remains liable.

§ III. *Rights and duties of tenants.*—1. *Repairs.*—A tenant is bound to keep the premises wind- and water-tight, but is not bound to make extraordinary repairs, such as putting on a new roof.

2. *Damages.*—Tenant is *prima facie* liable to third persons for injuries caused by the want of safety, or the reckless management of the premises.

3. *Injuries to the premises.*—Tenant must deliver premises at end of the term in as good condition as reasonable use and wear will permit. He is liable for all injuries to the premises, whether caused by himself or third parties. Premises rendered untenable and unfit for occupancy by the elements or other such cause, may be surrendered by the tenant to the landlord, and his liability for rent ceases. He is not liable for such injury.

4. *Nuisances.*—Tenants are liable for all nuisances created during their tenancy.

5. *Under-tenants.*—A sub-lessee is bound for his rent to his immediate lessor only. All restrictions in a lease bind a sub-tenant. On default of payment of rent by the tenant, the owner may dispossess both lessee and sub-lessee of possession of the premises.

6. *Fixtures.*—They are chattels if so affixed to the realty as to become a part of it, and cannot be removed. The exceptions are, that a tenant can remove all fixtures placed on the premises for the purposes of trade or domestic use, provided the removal is made during his term, and without injury to the premises.

§ IV. *Eviction.*—If the landlord evicts his tenant from any portion of the leased premises, the tenant is relieved from the payment of subsequently accruing rent so long as the landlord continues in the occupation of the premises without the tenant's consent.

If, however, the premises are rendered untenable by any act of the landlord, the tenant must quit the premises, to be released from paying subsequently accruing rent.

§ v. *Dispossess or summary proceedings.*—1.—Distress for rent is abolished in this State.

2. *Non-payment of rent.*—If a tenant does not pay his rent, a landlord may upon three days' notice to the tenant bring the tenant before a District Court judge, of the district in which the premises are situated, to show cause why he should not pay the rent or vacate the premises. If the tenant refuses to pay or vacate, a warrant will be issued to a city marshal directing him to put the tenant out and deliver the premises to the landlord.

3. *Holding over.*—If a tenant remains in possession of the premises after the expiration of the term, the landlord may evict the tenant on three days' notice as in the case of non-payment of rent. If the landlord takes proceedings on the day of the termination of the term, or the next day following, he need give only three hours' notice. See Code, Civil Proc., sec. 2238.

4. *Monthly tenants.*—To terminate a hiring at the end of the month, except where the term expires on the first of May, the landlord must give the tenant five days' notice of his election to terminate the tenancy on the day on which the term expires, and that unless the tenant removes from the premises summary proceedings will be instituted against him. Laws of 1882, ch., 303.

5. *Bawdy-houses.*—Any owner or tenant of real property in the immediate neighborhood of other demised property used as a bawdy-house or house of assignation may serve on the owner or his agent a written notice requiring application for the removal of the persons so using or occupying the same. If such application is not made, or if made, is not diligently pursued, the person giving the notice may himself apply as if he were the owner. Proceedings thereafter are the same as in the case of the non-payment of rent. Code of Civil Proc., sec. 2237.

6. *When a landlord seeks to evict a tenant by summary*

*proceedings*.—Upon the return day of the summons, it is absolutely necessary for the tenant to present whatever defence he may have in the form of an affidavit, setting forth the facts and circumstances of the case.

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## XI.—CHATTEL MORTGAGES.

- § I. Definition.
- § II. Default in payment.
- § III. Executory sales.
- § IV. Usury.

§ I. *Definition*.—Any mortgage upon personal property is a chattel mortgage. To be valid against subsequent purchasers or mortgagees in good faith, or against the mortgageor's creditors, they must be filed in the register's office. If not so filed they are void, except as between the parties. Chattel mortgages so filed are good for one year; to make them of force for a longer period a copy must be filed within the thirty days next preceding the expiration of the year from the original filing, with a statement of the amount that is then due.

§ II. *Default in payment*.—If the mortgageor fail to pay the sum secured by the mortgage at the time it becomes due, the mortgagee becomes entitled to the immediate possession of all the mortgaged property, and upon obtaining possession can hold the property until the amount due is paid, and also all disbursements incurred in obtaining possession of the property and preserving the same. If the mortgagee sells the property he must pay to the mortgageor any surplus after paying the mortgage debt and expenses of the sale. He is liable to a suit to recover this.

§ III. *Executory sales upon instalments*.—When contracts of sale are made, the purchase price to be paid in instalments, and the title to remain in the seller until all the payments have



been made, the purchaser must pay the instalments as they become due, or be deprived by the seller of the possession of the article, and forfeit the payments already made. The seller becomes the absolute owner even though two thirds of the purchase price may have been paid.

§ IV. *Usury*.—Six per cent. is the legal rate of interest ; all contracts for a higher rate are void with the following exceptions : contracts with corporations, and contracts for advances of not less than \$5,000, payable on demand and secured by pledges of warehouse receipts, bills of lading, certificates of stock and deposit, bills of exchange, or other negotiable instruments. All deposits of notes, goods, etc., to secure payment of any usurious loan may be recovered back without repaying any of the money borrowed. R. S., 7th ed., sec. 2254. Laws of 1882, ch. 237.

#### ARTICLES EXEMPT FROM EXECUTION.

I. *Articles exempt from levy and sale under execution*.—All spinning-wheels, all weaving looms, all stoves, all family pictures, one sewing-machine and appurtenance, one family Bible, one pew in church, ten sheep, one cow, two swine, and necessary food for said animals ; school-books used by the family, other books to the value of \$50 ; all meat, fish, flour, and vegetables, necessary for sixty days, provided for family use ; all fuel, oil, and candles necessary for sixty days ; all wearing apparel, beds and bedsteads, all necessary cooking utensils, 1 table, 6 knives, 6 forks, 6 spoons, 6 plates, 6 teacups, 6 saucers, 1 sugar-dish, 1 milk-pot, 1 teapot, 1 crane and appendages, 1 pair of andirons, 1 coal-scuttle, 1 shovel, 1 pair tongs, 1 lamp, 1 candlestick, mechanics' tools to the value of \$25 ; (also necessary household furniture, working tools and team, professional instruments, furniture and library not exceeding in value \$250, together with the necessary food for the team for ninety days, when owned by a person who is a householder, and has a family for which he provides, except where

the execution is for work performed as a domestic in the family, or for the purchase-money of one or more of the articles, and which articles are not included in the list above.) Code of Civil Proc., secs. 1390 and 1391.

II. *Homestead exemption.*—The lot of land with a homestead thereon not exceeding \$1,000 in value may be exempted by complying with certain forms of law. Code of Civil Proc., secs. 1397 and 1398.

III. A woman is entitled to the same exemptions as a man.

## XII.—PAWNBROKERS.

§ I. License.

§ II. Books. Tickets.

§ III. Examination of books and pawned property.

§ IV. Sale of pawned articles.

§ V. Rate of interest.

§ VI. Penalties.

§ VII. Dealers in second-hand articles, and junkmen.

§ I. *License.*—Pawnbrokers must obtain a written license from the bureau of licenses.

§ II. *Books.*—They must keep books in which, at the time of making such loan, an accurate description of the article pawned must be written, the amount loaned thereon, the time of pawning, the rate of interest, and the name and residence of the pledger. These books must be open to inspection at all reasonable times, to any person duly authorized in writing by the mayor, aldermen, recorder, or justice of the peace. City Ordinances, Valentine's ed., ch. 42, art I. At the time of making the loan the pawnbroker must deliver to the pledger without charge a memorandum signed by him containing the substance of the entry made in his book. Ditto.

§ III. *Examination of books and pawned property.*—All police-justices have power to order the examination of pawn-

brokers' books in search of stolen property, and any person having in his possession a pawn ticket shall when accompanied by a policeman, or by an order from the superintendent or captain of police, be allowed to examine the property purporting to be pawned by said ticket. Laws of 1882, ch. 410, sec. 1568.

§ IV. *Sale of pawned articles.*—All articles pawned must be held one year before being sold, and can be redeemed at any time within the year. The sale must be by public auction. Pawnbrokers are prohibited from purchasing any articles offered as a pledge. Any surplus after paying loan, interest, and expenses of sale must be refunded to the person entitled to redeem. City Ordinances, art. 26.

§ V. *Rate of interest.*—Pawnbrokers are not allowed to demand more than 25 per cent. per annum on sums of \$25 or less, nor more than 7 per cent. per annum on larger sums, under fine of \$100. Loans on separate parts of an article so as to split the loan into several of less than \$25 are also prohibited. City Ordinances.

§ VI. *Penalties.*—For each violation of an ordinance a pawnbroker is liable to a fine of \$100.

The following acts are made a misdemeanor:

1. Refusing to exhibit books or property as provided by sec. III, above.
2. Sale before the expiration of the time to redeem.
3. Wilful refusal to disclose the name of purchaser and price paid for any pawned article sold.
4. The selling or pawning of any article which has been borrowed or hired. Penal Code, secs. 354, 5. Laws of 1882, ch. 410, sec. 1568. R. S., 7th ed., 2526.

§ VII. *Dealers in second-hand articles, and junkmen.*—They are subject to many of the same restrictions as pawnbrokers. They must keep similar books of entry; such books must be open to inspection. No article purchased by them, except wooden furniture, shall be sold until one month after purchase. No junk-dealer shall receive any article by way of pledge or pawn. City Ordinances, ch. xlii, arts. ii and iii.

### XIII.—CARE AND COMMITMENT OF THE INSANE.

- § I. Commitment of the Insane.
- § II. The physician who may make the certificate.
- § III. The certificate.
- § IV. Commitment by Commissioners of Charities and Correction.
- § V. Not to be confined in prison.
- § VI. To be supported by relatives.
- § VII. Commitment of insane persons by criminal process.
- § VIII. Discharge.

§ I. *Commitment of the insane.*—No person can be committed to any asylum, public or private, or to any institution, home, or retreat for the care and treatment of the insane, except upon the certificate, under oath, of two physicians setting forth the insanity of such person; and within five days thereafter, such certificate must be approved by a judge of a court of record of the county in which the alleged lunatic resides, or such person shall be entitled to be discharged. The judge may institute inquiries and take proof as to the alleged insanity before approving or disapproving of such certificate, and in his discretion call a jury to determine the question of insanity. 2 R. S., 6th ed., p. 842.

§ II. *The physician who may make the certificate.*—One of reputable character, a graduate of some incorporated medical college, a permanent resident of the State, and of at least three years' actual practice, which qualification shall be certified to by a judge of any court of record, and no physician shall certify to the insanity of any person for the purpose of committing him to an asylum of which the said physician is either the superintendent, proprietor, and officer, or a regular professional attendant. 2 R. S., 6th ed., p. 843.

§ III. *The certificate.*—The certificate shall only be made

after a personal examination of the alleged lunatic within ten days of the commitment and according to forms prescribed by the State commissioner in lunacy. 2 R. S., 6th ed., p. 843.

§ IV. *Commitment by Commissioners of Charities and Correction.*—In case of refusal or inability of committee, guardian, or relations of an insane person to confine and maintain him, it shall be the duty of the police to report the same to the Commissioners, and they should apply to the county judge or surrogate, who upon being satisfied that it is dangerous to permit such insane person to go at large shall issue his warrant commanding that such insane person be committed within ten days to some State lunatic asylum, or to such public or private asylum as may be approved by any standing order or resolution of the supervisors of the county, to be there kept and maintained until discharged by law. 2 R. S., 6th ed., p. 842.

§ V. *Not to be confined in prison.*—No lunatic or person disordered in his mind shall be confined in the same room with any person charged with or convicted of a crime, nor shall such a lunatic be confined in any jail, prison, or house of correction for more than ten days; but shall be sent forthwith to some State lunatic asylum, or public or private asylum, as aforesaid. 2 R. S., 6th ed., pp. 842, 843.

§ VI. *To be supported by relatives.*—If a lunatic is not possessed of sufficient property to maintain himself, it shall be the duty of the father, mother, or children, if of sufficient ability, to provide a suitable place for his confinement; if not, then such duty devolves upon the overseers of the poor, and the overseers of the poor have the same remedies to compel such relative to confine and maintain such a lunatic as they have in the case of a poor or impotent person becoming chargeable upon any town. 2 R. S., 6th ed., p. 843.

§ VII. *Commitment of insane persons by criminal process.*—If any person under indictment for the crime of arson, murder, attempt at murder, or highway robbery, shall appear to be insane, the Court of Oyer and Terminer shall have power to

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